

## Chapter 11

### FIRE PREVENTION

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#### ARTICLE I. IN GENERAL

Sec 11-1. Unlawful acts; penalties; remedies.

- (a) It shall be unlawful to do any act prohibited hereby and it shall be unlawful to fail to do or perform any act required hereby.
- (b) Any person, firm, corporation or agent or employee thereof, upon conviction of a violation of any of the provisions of this chapter shall be guilty of a Class C misdemeanor, and fined an amount not less than one hundred dollars (\$100.00) and not more than two thousand dollars (\$2,000.00) provided, however, in the event a defendant has once previously been convicted under this chapter, the defendant shall be fined an amount no less than two hundred dollars (\$200.00) and shall be fined no less than three hundred dollars (\$300.00) for a third conviction and for each conviction thereafter. Each day a violation is permitted to exist shall constitute a separate offense.
- (c) Nothing in this section shall limit the remedies available to the city in seeking to enforce the provisions of this chapter. (Ord. No. 64489, 5, 2-5-87)

Sections 11-2--11-15. Reserved

#### ARTICLE II. FIRE DEPARTMENT

Section 11-16. FEES FOR CERTAIN PERMITS AND SERVICES.

- A. The following fees are hereby established for obtaining certain permits from the Fire Prevention Division of the Fire Department:
  - 1. Blaster permit.....\$150.00
  - 2. Explosive handler's permit, per year .....100.00
  - 3. Quarry blasting permit, per year .....200.00
  - 4. Explosive storage permit, per year.....200.00
  - 5. Duplicate permits .....25.00
  - 6. Burning permits .....125.00

7. LPG tank permits per tank. ....100.00
8. Aboveground temporary flammable liquid storage tank permits per 90 days .....100.00
9. Hazardous chemical tank permit.....100.00
10. Fixed pipe extinguishing systems per system 100.00
11. Explosive site permits:
  - a. Utilities per 90 days .....200.00
  - b. Excavation per 30 days .....100.00
  - c. Swimming pools and septic per 30 days 50.00
  - d. Pyrotechnics per event .....50.00/max.200.00
12. Sprinkler Systems
  - a. Sprinkler system permit .....\$125.00---\$2,000.00

A sprinkler system permit fee shall be assessed for reviewing plans, inspecting and hydrostatic testing of sprinkler systems. The fee will be assessed according to the following schedule: one hundred twenty-five dollars (\$125.00) for any system with one (1) to ten (10) heads; one hundred fifty dollars (\$150.00) for any system with eleven (11) to twenty-five (25) heads; two hundred dollars (\$200.00) for any system with twenty-six (26) to two hundred (200) heads; two hundred dollars (\$200.00) for the first two hundred (200) heads plus seventy five cents (\$0.75) cents for each additional head with a maximum fee of two thousand dollars (\$2000.00). In addition, if the sprinkler system is located on more than one floor, the fee will also include a charge of forty (\$40.00) dollars for each additional floor. (Basements or underground levels are considered floors for purposes of this fee.)

- b. Permit fee for major sprinkler system related work not involving sprinkler head modification .....\$100.00

A major sprinkler system work permit fee of one hundred dollars (\$100.00) shall be assessed for major sprinkler system work not involving sprinkler head modification. The fire chief shall make the final determination of whether a system modification constitutes major sprinkler system related work; however the following modifications shall always constitute major work: installation of a fire pump, underground fire main, riser, supply main, cross main or any other change that could significantly affect the hydraulic characteristics of the system.

- c. Sprinkler system remodel permit .....\$12.50--\$2,000.00

If a modification of an existing sprinkler system is planned in a building (or an area of a building), a sprinkler system remodel permit shall be required prior to start of construction and a fee assessed

according to the following schedule: twelve dollars and fifty cents (\$12.50) per head for the first nine (9) sprinkler head modifications; one hundred twenty five dollars (\$125.00) for systems requiring ten (10) to twenty-five (25) sprinkler head modifications, one hundred and fifty dollars (\$150.00) for systems requiring twenty-six (26) to two hundred (200) sprinkler head modifications, or seventy-five cents (\$0.75) per sprinkler head modification for systems with more than two hundred (200) modifications, with a maximum fee of two thousand dollars (\$2,000.00). A fee of twenty dollars (\$20.00) will be assessed for each additional floor.

d. Underground fire line.....\$200.00

e. Standpipes .....\$200.00

Each additional.....\$125.00

f. Hydrants.....\$200.00

Each additional.....\$125.00

13. Fire Alarm Systems:

a. Fire alarm system permit .....\$125.00--\$2,000.00

A fee shall be assessed for reviewing plans, inspecting and testing of fire alarm systems. The fee shall be assessed based on the following schedule: one hundred twenty five dollars (\$125.00) for any system with one (1) to ten (10) initiating and/or signaling devices, one hundred and fifty dollars (\$150.00) for any system with eleven (11) to twenty-five (25) devices, two hundred dollars (\$200.00) for any system having twenty-six (26) to two hundred (200) devices to a maximum of two thousand dollars (\$2,000.00) for any system over two hundred (200) devices. A fee of forty dollars (\$40.00) will be assessed for each additional floor.

b. Permit fee for major fire alarm system work not involving modification of initiating and/or signaling devices is one hundred dollars (\$100.00). The fire chief shall make the final determination of whether a system modification constitutes major fire alarm system related work; however the following modifications shall always constitute major work: installation of a fire alarm panel, or any other significant modification to the system.

c. Fire alarm remodel permit fee.....\$12.50--\$2,000.00

Fire alarm system remodel permit fee ranges from twelve dollars and fifty cents (\$12.50) to two thousand dollars (\$2,000.00). If a

modification of an existing fire alarm system is planned in a building (or an area of a building), then a fire alarm system remodel permit shall be required prior to start of construction and a fee assessed according to the following schedule: Twelve dollars and fifty cents (\$12.50) per initiating and/or signaling device for the first nine (9) initiating and/or signaling device modifications; One hundred twenty-five dollars (\$125.00) for systems requiring ten (10) to twenty-five (25) initiating and/or signaling device modifications; One hundred and fifty dollars (\$150.00) for systems requiring twenty-six (26) to two hundred (200) initiating and/or signaling device modifications; Seventy-five cents (\$0.75) per initiating and/or signaling device modification for systems with more than two hundred (200) modifications, with a maximum fee of two thousand dollars (\$2,000.00). If the modification of the fire alarm system is located on more than one floor, the fee will also include a charge of twenty dollars (\$20.00) for each additional floor. (Basements or underground levels are considered floors for purposes of this fee.)

d. Fire Alarm Panel Replacement permit.....\$100.00--\$2000

The initial permit fee shall remain at one hundred dollars (\$100.00) and will include the first nine (9) initiating devices, if applicable. The number of initiating devices that exceed nine (9) shall be calculated at seventy-five cents (\$0.75) per device. An additional cost of twenty dollars (\$20.00) per additional floor will also be included for each floor (beyond the floor of work) affected by the panel replacement. The fire alarm submittal shall also include FACP location, a riser that shows typical devices, and shall be stamped or sealed by the Alarm Planning Superintendent or professional engineer.

14. Float and food booth permit per day.....15.00
15. Bonfire permit per event .....400.00
16. Fireworks display permit per event.....450.00
17. Amusement parks:
  - a. Annual Fireworks permit .....200.00
  - b. Reinspection fee.....100.00
18. Amusement park fireworks annual storage permit.....100.00
19. Waste oil tanks. A permit fee of one hundred dollars (\$100.00) for each waste oil tank is hereby established for the review of plans and inspection of the installation of the waste oil tank.

- B.** The fee for tracing flammable liquid leaks to the source by the Fire Prevention Division of the Fire Department is hereby established at two hundred dollars (\$200.00) per day.
- C.** Reinspection fee. A reinspection fee of one hundred dollars (\$100.00) shall be assessed for each inspection or reinspection when work for which an inspection or reinspection is requested is not approved. A reinspection fee may also be assessed when the permit is not properly posted on the work site, when the approved plans are not readily available to the inspector, when access is not provided on the date for which inspection is requested or for noncompliance with approved plans, requiring reinspection and approval of the fire official. All reinspection fees shall be paid before final release of public utilities and issuance of the certificate of occupancy.
- D.** A fee of two hundred dollars (\$200.00) for testing building smoke control systems required for issuance of a building permit is hereby established, and for each subsequent test, a fee is established at thirty dollars (\$30.00) per test.
- E.** A fee of two hundred and fifty dollars (\$250.00) for testing and approving installed fire protection systems, such as halon, CO2 and standpipes, is hereby established.
- F.** Fees for state required annual inspections:
1. State required annual inspections of any day care facilities, foster homes, half-way houses, group care homes or similar short-term placement occupancies that require certification or approval by the fire marshal's office shall be assessed a fee of thirty dollars (\$30.00) which shall be remitted at the fire marshal's office prior to the required inspection.
  2.
    - a. State required annual inspection of hospitals or other similar occupancies that require certification or approval by the fire marshal's office shall be assessed a minimum fee of two hundred dollars (\$200.00) and not more than eight hundred dollars (\$800.00). Fees are assessed at one dollar (\$1.00) per bed for each facility which shall be remitted at the fire marshal's office prior to the required inspection.
    - b. State required annual inspection of nursing homes or other similar occupancies that require certification or approval by the fire marshal's office shall be assessed a fee based on the number of beds in the facility. The inspection fee will consist of a charge of three dollars (\$3.00) per bed with a minimum fee of two hundred dollars (\$200.00) and a maximum fee of eight hundred dollars (\$800.00), which shall be remitted at the fire marshal's office prior to the required inspection.
  3. State or private/public required annual inspections of laboratories, clinics and bonded warehouses or other similar occupancies that require certification or approval by the fire marshal's office shall be assessed a fee of one hundred fifty dollars (\$150.00) for laboratories, clinics, and rehabilitation facilities, and one hundred twenty five dollars (\$125.00) for Bonded warehouses, which shall be remitted at the fire marshal's office prior to the required inspection.

- G. Aboveground storage tanks fee. Permit fees of three hundred thirty dollars (\$330.00) for tanks of all sizes are hereby established and shall be assessed for the construction of any permanent aboveground storage tank used for the storage of flammable liquids, combustible liquids or hazardous materials, and shall be paid prior to commencement of any construction. Plans must be submitted for approval prior to issuance of a permit.
- H. Underground storage tank fee. A permit fee of two hundred twenty five dollars (\$225.00) per underground storage tank is hereby established and shall be assessed for the inspection of the installation, interior lining, filling with inert material or removal of any underground storage tank used for the storage of flammable liquids, combustible liquids or hazardous materials. A permit shall be obtained prior to commencement of any activity stated above.
- I. Retest and rescheduling fee:
1. Retest fee.....125.00  
If a retest of a fire protection system or portion thereof is necessary due to failure of a previous test, then a retest fee of one hundred twenty five dollars (\$125.00) is hereby established and shall be paid at the fire marshal's office prior to retesting.
  2. Rescheduling fee.....125.00  
If a test or a retest of any fire protection system is canceled within four (4) hours of the scheduled test, a rescheduling fee of one hundred twenty five dollars (\$125.00) shall be paid prior to rescheduling of the required test.
- J. After hours Inspections. If special circumstances warrant, the chief may allow an inspector to conduct an inspection or test after normal working hours when a request is made by a contractor or owner's representative. The cost for each service is fifty dollars (\$50.00) per man-hour with a minimum fee of one hundred dollars (\$100.00). A check, made payable to the City of San Antonio, shall be given to the inspector at the conclusion of the inspection.
- K. Service fee for use of 3M ATC fire-fighting foam:
1. The recipients of emergency fire-fighting service which utilizes 3M ATC fire-fighting foam, shall pay a "fire-fighting foam fee" to the City of San Antonio for its use of said agent, in an amount sufficient to restore the amount of foam for the emergency.
  2. For purposes of this subsection, the amount of the fee to be paid shall be no greater than the low, qualified bid received by the city in response to a request made for the purchase of 3M ATC fire-fighting foam following the emergency in question.
  3. The recipient of emergency service utilizing the 3M ATC foam shall have thirty (30) days from the date of receiving the fee bill to pay said fee.

4. Failure to pay the fee within these thirty (30) days may result in the invalidation of the hazardous materials handling permit for the facility where the fire occurred.
- L. A fee of four hundred dollars (\$400.00) shall be assessed to any individual that a fire unit of the City of San Antonio Fire Department rescues or attempts to rescue at a low-water crossing.
- M. A special fire records search fee of five dollars (\$5.00) per request is hereby established. Additional copies may be obtained for fifty-five cents (\$0.55) per copy. This special fire records search fee shall apply for fire record searches when individuals do not know the incident number and searches are required to be made to find the incident in question.
- N. An environmental research fee of fifty dollars (\$50.00) per address plus the cost of off-site research chargeable at the pay rate of the employee conducting the search is hereby established. This environmental research fee shall apply for records searches relating to hazardous incidents and hazardous materials storage at a specific location where fire department staff must conduct research to find the requested information.
- O. A filing fee of one hundred fifty five dollars (\$155.00) is required to be submitted in order to file an appeal with the Board of Appeals.
- P. If investigation by a fire inspector reveals that work has begun without application for a permit such fees will be doubled when paperwork is properly submitted.
- Q. Change of address. A fee of twenty-five dollars (\$25.00) per request shall be assessed for changing the address on hazardous material permit, inspection reports, and other records.
- R. Spray booths. A permit fee of two hundred and fifty dollars (\$250.00) for each spray booth is hereby established for the review of plans and the inspection of the installation of each spray paint booth.
- S. Fuel lines. A permit fee of one hundred dollars (\$100.00) for each site of a fuel line(s) not part of an underground storage tank permit is hereby established for the inspection and testing of said fuel line(s).

Sec. 11-17. Fee for firefighting unit on stand-by basis.

The following fee is established for the engagement of a fully equipped reserve firefighting unit by outside agencies on a stand-by basis as follows:

1. A fee of two hundred fifty dollars (\$250.00) per hour, or fraction thereof, per vehicle shall be charged to outside agencies required by or requesting the city to furnish a fully equipped reserve firefighting unit for standby fire protection within the city. Services shall be for a minimum of two (2) hours, with additional hours, or fractions thereof, to be paid at the full rate of two hundred fifty dollars (\$250.00); and
2. The following rules will apply when the city makes such services available:

- a. The fee will cover all costs associated with the rental and staffing of the fire-fighting vehicle.
- b. Personnel operating the fire vehicle shall be employees of the San Antonio Fire Department.

(Code 1959, 15-10.5; Ord. No. 57561, 1,2,9-15-83; Ord. No. 59317, 2, 9-4-84; Ord. No. 61331, 1--3, 8-29-85)  
Sections 11-18--11-30. Reserved.

### ARTICLE III. FIRE PREVENTION CODE

Section 11-31. Reserved.

#### Section 11-32. ADOPTION OF THE INTERNATIONAL FIRE CODE.

The 2003 edition of the International Fire Code, including Appendices A, B, C101-C104, and D developed by the International Code Council is hereby adopted by the City of San Antonio, Texas for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion. Except for such portions as are hereinafter deleted, modified or amended by Section 11-40 of this ordinance of which code not less than three (3) copies have been and are now filed in the office of the City Clerk of the City of San Antonio and the same are hereby adopted and incorporated as fully as if set out at length herein, and from this date on which the ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of San Antonio, Texas.

#### Section 11-33. DEFINITIONS.

- a. Whenever the word "jurisdiction" is used in the International Fire Code, it shall be held to mean the City of San Antonio, Texas.
- b. Whenever the words "Chief of the Bureau of Fire Prevention" are used in the International Fire Code it shall be held to mean "The Fire Marshal".

#### Section 11-34. ENFORCEMENT

The International Fire Code shall be enforced by the Fire Prevention Division and other members of the Fire Department duly authorized by the Fire Chief.

#### Section 11-35. STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVEGROUND TANKS PROHIBITED.

Storage of flammable or combustible liquids in aboveground tanks is prohibited unless authorized by the Fire Chief.

#### Section 11-36. ESTABLISHMENT OF LIMITS IN WHICH GASOLINE SERVICE STATIONS ARE TO BE RESTRICTED.

It shall be unlawful for any person to establish, construct, operate or maintain a gasoline service station, for the storage, sale and delivery of gasoline, oil or other auto supplies within the following described limits:

Beginning at the south curb line of Dolorosa Street, where it crosses San Pedro Creek and with the meanders of the creek south two hundred (200) feet; thence east with a line parallel to and two hundred (200) feet from the south curb of Dolorosa Street across South Flores and Dwyer Avenue to the San Antonio River; thence east with the meanders of the river to the Market Street bridge and south curb line of Market Street to and across South Alamo Street to the point of intersection with the southeast curb line of South Alamo Street; thence north across Market Street and along the east curb line of South Alamo to the point of intersection with the south curb line of East Commerce Street; thence east on the south curb line of East Commerce Street to a point opposite the east curb line of Bonham Street; thence north across East Commerce Street and along the east curb line of Bonham Street, across Blum and Crockett Streets, to the southeast curb line of Bonham Street; thence northeast, along the southeast curb line of Bonham Street to the point of intersection of the curb line of Bonham Street and the center line of East Houston Street; thence west along the center line of East Houston Street to the point of intersection with the east line of Avenue E, thence north along the east line of Avenue E to the point of intersection with the north line of East Travis Street, thence west along the north curb line of East Travis Street; across the San Antonio River to the east curb line of Soledad Street and to Travis Street; thence along the north curb line of Travis Street across Main Avenue to the west curb line of North Flores Street; thence south along the west curb line of North Flores Street to a point two hundred feet north from the north curb line of West Houston Street; thence west along a line parallel to and two hundred (200) feet from the north curb line of West Houston Street to the west side of Cameron Street; thence south with the west curb line of Cameron Street across West Houston to West Commerce Street; thence west with the north curb line of West Commerce Street to the San Pedro Creek; thence south with the meanders of San Pedro Creek to the place of beginning. (Code 1959, 13-4)

**Section 11-37. ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GAS IS TO BE RESTRICTED.**

- a. The limits which bulk storage of liquefied petroleum gas are restricted, are hereby established as the area bounded by the inner curb lines of the following streets and interstate highways: Beginning at the intersection of I.H. 35 and I.H. 10; thence east along I.H. 35 to its intersection with I.H. 37; thence south along I.H. 37 to its intersection with West Drexel Street; thence west along West Drexel Street to its intersection with Lone Star Blvd.; thence west along Lone Star Blvd. to its intersection with South Flores Street; thence north along South Flores Street to its intersection with West Cevallos Street; thence west along West Cevallos Street to its intersection with I.H. 35 to its intersection with I.H. 10 to the point of termination.
- b. Vehicles for hauling or transporting liquefied petroleum gases shall not be driven in this area or other areas designated by the Fire Marshal.

**Section 11-38. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS PROHIBITED.**

The limits referred to in Section 3301 of the International Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established at five thousand (5,000) feet beyond the corporate limits of the city.

**Section 11-39. REPORTING VIOLATIONS.**

It shall be the duty of all members of the Fire Department to immediately report any violation of this code to the Fire Chief.

**Section 11-40. AMENDMENTS MADE IN THE INTERNATIONAL FIRE CODE.**

The International Fire Code is amended and changed in the following respects:

**Section. 102.3.1 Notice of Alteration to be given to Fire Chief. Add Section:**

The Director of Development Services Department shall provide written notice to the Fire Chief of every application made to repair, alter, or remodel any occupancy and any building or structure with the exception of single family and two family dwellings.

**Section 102.8. Matters Not Provided For. Amend to read:**

The Chief is authorized to make and enforce such rules and regulations for the prevention and control of fires and fire hazards as may be necessary from time to time to carry out the intent of this code. Three certified copies of such rules and regulations shall be filed with the clerk of the jurisdiction and shall be in effect immediately thereafter and additional copies shall be kept in the office of the fire department for distribution to the public.

**Section 104.1.1 Authority of the Fire Chief and the Fire Department. Add Section:**

It shall be the duty of the Fire Chief and he is hereby given the necessary power to do whatever may be deemed necessary by him for the safety and protection of property and citizens from fire hazards. The Fire Chief may delegate his power to any other member of the Fire Department.

**Section 104.1.2 Additional Duties and Police Powers of Fire Department Members. Add Section:**

In addition to the duties required or prescribed for members of the Fire Department in connection with the regular functions of such department, when so required by order of the City Manager in case of riots, floods, or other public emergencies or catastrophes or public danger of any sort, and all fires on order of the Fire Chief, Deputy Chief, Assistant Chief, District Chief, or any Captain or Lieutenant of the Fire Department, each and all members of the Fire Department shall be and become vested with full Police powers and shall perform all duties required for the protection of persons or property or the preservation of public safety, peace and order.

**Section 104.3 Right of Entry. Amend by adding the following:**

No owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper demand is made as herein provided, to properly permit entry therein by the Chief or his authorized representative for the purpose

of inspection or examination under such exigent circumstances affecting the safety of persons and/or property, or to take such prudent action to extinguish a fire or abate a fire hazard.

Section 104.3.2 Photographic Documentation. Add Section.:

Members of the Fire Department making such examinations or inspections shall have the right, with proper credentials, and be authorized to take a reasonable number of photographs or videotapes for evidence and for records for use by the Fire Department to study hazards and scientific control for fire safety.

Section 104.11.4 Removal of debris and rubble after fire. Add Section:

1. The owner or person having under his control or in his possession upon any premises in the city, any hay, straw, bales of wool, cotton, paper or other substances which have been rendered useless or unmerchantable by reason of any fire on such premise, or any debris resulting from such fire, must remove such substances and debris from such premises within forty-eight hours (48) after notice to do so has been served by the Fire Chief.
2. Whenever any building or other structure in the city is partially burned, the owner thereof or the person in charge or control thereof, shall within ten days after notice from the Fire Chief or Building inspector so to do, remove all refuse, debris, charred and partially burned lumber and material from the ground; and if such building or other structure shall be burned to such an extent that it is rendered incapable of being repaired, the owner of the property upon which structure is located, or person in charge or control thereof, shall within ten days after notice from the Fire Chief or Building inspector so to do, remove all the remaining portion of the building of the building or structure, from the ground.
3. The Fire Chief may extend the ten (10) day period of removal of such burned or partially burned buildings, when the insurance adjustment, if any, is still pending.

Section 105.2.5 Investigation Fee/Working Without a Permit. Add Section:

Work requiring a permit shall not commence until said permit is posted in a conspicuous place on the job site and approved plans are available at this location. Where work is commenced prior to obtaining said permit, the fees provided for in Section 11-16 of the city code, may be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this ordinance in the execution of the work nor of any other penalties prescribed herein.

Section 105.6.32 Food Booths. Add Section. For permit to operate a food booth, see Section 317

Section 105.7.1.1 Automatic Sprinkler System. Add Section

To install an automatic sprinkler system, see Section 903.

Section 105.7.1.2 Fire Alarm System. Add Section.

To install a fire alarm system, see Section 907.

Section 105.7.1.3 Fire Extinguishing Equipment. Add Section.

To install fixed-pipe extinguishing equipment for protection of kitchen grease hoods and ducts see Section 904.2.1.

Section 108.1 Appeals. Amend to read as follows:

- a. General. In order to hear and decide appeals of orders, decisions or determinations made by the building official and fire chief relative to the application and interpretation of the building and fire code, and to determine appeals regarding the suitability of alternate materials and types of construction, there shall be and is hereby created a building and fire code board of appeals consisting of eleven persons residing in the city. The findings of the board regarding appeals of modifications shall be advisory in nature. The board shall consist of two structural engineers, two architects, four builders, two laypersons and one person with expertise in fire prevention. The fire chief shall be an ex-officio member. The building official shall be an ex-officio member of and shall act as secretary to said board but the building official or fire chief shall have no vote upon any matter before the board. The board of appeals shall be appointed by the City Council. The term of office should not exceed two (2) years and shall be limited to three (3) consecutive two-year terms. All vacancies shall be filled for the unexpired portion of the term only. The board shall adopt reasonable rules and regulations for conducting its meetings and shall render all decisions and findings in writing to the appellant with a duplicate to the building official and the fire chief. Each application to the board shall be accompanied by a filing fee as provided for in Section 11-16(p) of the city code.
- b. Limitations of Authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.
- c. Quorum and majority vote
  1. Six (6) members shall constitute a quorum.
  2. The vote of a majority of the members present shall be necessary for adoption of any matter, except as otherwise provided in this amendment. Each member of the board of appeals shall have one (1) vote.

Section 109.1.1 Work started without a Permit: No work shall be started on any Fire Protection System at a new construction site or a existing structure, other than maintenance work, without a permit being issued or by approval to begin work by the Fire Chief. Both the individual contractor along with the site general contractor will be held liable for such actions.

Section 110.2.1 Removal of Occupants. Add Section:

A member of the Fire Department is authorized to require the removal of occupants at a location when actual occupancy exceeds the permitted or posted occupant load. A person commits an offense if he refuses to obey an order to vacate.

Section 110.5 Prohibition of Electrical Service. Add Section:

When any fire hazard is permitted to continue in existence by the owner after receiving the notice provided in Section 109.2.1 and after expiration of the time limit as determined under Section, 109.2 if the Fire Chief shall find and determine from the facts that the danger to human life is materially increased by the electrical wiring and appliances present in the building, he shall notify the City Public Service of the city to disconnect its service and forthwith cease supplying electric current thereto. It shall thereupon be the duty of the manager of the City Public Service to cause said service to be disconnected and the supply of electrical current disconnected immediately.

Section 110.6 Prohibition of Gas Service. Add Section:

When any fire hazard is permitted to continue in existence by the owner after receiving the notice provided in Section, 109.2.1 and after expiration of the time limit as determined under Section, 109.2 if the Fire Chief shall find and determine from the facts that the danger to human life is materially increased by the gas plumbing and/or appliances present in the building, he shall notify the City Public Service to disconnect its gas service and forthwith cease supplying gas thereto. It shall thereupon be the duty of the manager of the City Public Service to cause said service to be disconnected and the supply of gas disconnected immediately.

Section 202 Add Section: ADMINISTRATOR is the City Manager.

Section 202 Add Section: AUTHORIZED EMERGENCY VEHICLE shall have the meaning set out in the Texas Transportation Code §541.201.

Section 202 Add Section: DESIGNATED PREMISES shall mean property being used for a purpose allowed as a permitted use in an Apartment District, Office District, Local Retail District, Business District, Commercial District, Manufacturing District, Multiple Family Residence District, Mobile Home District, Townhouse Residence District, Industry District, or Planned Unit Development District as those terms are used in Chapter 35 of the San Antonio Code whether or not the premises are so zoned, or a public or private school, or a church, or a facility owned or operated by the City or Bexar County or by a city-owned utility, where off-street parking is provided on the premises for occupants thereof and others.

Section 202 Add Section: FIRE LANE shall mean any area appurtenant to entrances or exits of a building deemed necessary by the Fire Chief to remain free and clear of parked vehicles for access to such building in case of fire or other emergency and designated by him as such, and may include sidewalks, driveways, portions of parking lots, or any other area adjacent to or near building entrances or exits, or any fire hydrant.

Section 202 Add Section: PARK OR PARKING shall be defined as set out in Chapter 19 of the San Antonio Code.

Section 304.2.1 Dangerous Storing of Combustibles. Add Section:

It shall be unlawful and a nuisance for any person to have or keep or store, within the city, any quantity of tar, pitch, resin, petroleum or its products, or other combustible materials or substances in such manner that such materials or substances shall be in danger of taking and communicating fire.

Section 305.2.1 Ignited Materials in Streets Prohibited. Add Section:

No person may place or possess burning materials on a street, alley, or public easement if that conduct could attract attention, create a disturbance, or cause a fire hazard.

Section 307.1.1 Carrying Burning Materials. Add Section:

No person in the city shall carry or cause to be carried, in any street or other thoroughfare, any burning coal or firebrands, unless the same is shut up in a covered vessel.

Section 307.2.3 Burning Rubbish, Brush and Other Combustible Matter. Add Section:

1. Unlawful to burn trash without permit. It shall be unlawful for any person to burn or cause to be burned, any trash, brush, tree limbs, grass, trees, leaves, paper, boards, planks, shavings, or any other combustible materials whatsoever within the corporate limits of the city, without first having a permit therefore as required by subsection (2) of this section, unless the same is burned in an incinerator or container which has been approved in writing by the Fire Chief, and said incinerator or container when used for burning shall be so located that no smoke there from shall go into surrounding buildings, nor shall the operation of said incinerator or container create a fire hazard to the surrounding property.
2. Application for a permit. Any person desiring to burn any trash, or other combustible material described in subsection (1) of this section, within the city shall make application to the Fire Chief for a permit to burn said materials. The application for a permit shall contain the following information:
  - a. The name, address and telephone number of the person making application for permit.
  - b. The type of material and the quantity to be burned.
  - c. The location in the city at which the material is to be burned and the legal description of the property together with the name and owner of the property.

- d. The date on which the material is to be burned and the time at which the burning will commence and the estimated time necessary to complete the burning.
  - e. A statement by the person making the application that he assumes all liability and responsibility for all damages to all persons and property by reason of the fire, and that he will take all necessary precautions to insure that no damages result from the fire.
  - f. A statement by the person making the application for a permit that he will burn the materials only on the date and at the time designated in the permit issued by the Fire Chief or his representative, and in accordance with any special instruction set forth in the permit issued by the Fire Chief's Office.
- 3. Permit issued after investigation. When an application to burn any trash or other combustible materials is made to the Fire Chief, and such burning is not a violation of air pollution standards, he shall make an inspection of the premises on which the material is to be burned and the surrounding property to determine if the burning, as requested by the applicant would be a fire hazard and dangerous to the adjoining or nearby property. If the Fire Chief finds from his inspection of the property that the burning would not be a fire hazard or danger to adjoining or nearby property, or violation of air pollution standards, he shall cause to be issued a permit therefore which shall contain the following information and conditions:
  - a. The name, address and telephone number of the person to which the permit is issued.
  - b. The location, address and telephone number of the person for which the material is to be burned.
  - c. The date and time at which the material is to be burned.
  - d. A statement that the applicant assumes all liability and responsibility for all damages to all persons and property by reason of the fire.
  - e. That the fire will not be left unguarded at any time during the burning and that an adult person shall be in attendance at all times.
  - f. Any condition which the Fire Chief or his representative find from the surrounding circumstances to be necessary to prevent the fire from being a fire hazard and a danger to adjoining or nearby property.
- 4. When not to issue a permit. No permit shall be issued for the burning of any materials at any time except during the day between one (1) hour after sunrise and one (1) hour before sunset, except for ceremonial bonfires, when:
  - a. The site of the bonfire has been approved by the Fire Chief or his representative; and
  - b. The bonfire is held under the supervision of Fire Department personnel. Failure of any person or persons at such a bonfire to

adhere to fire safety instructions and requirements of the Fire Department representative assigned to supervise same shall constitute a violation of this chapter. No permit shall be issued if the burning would be contrary to the provisions of this section, nor shall such permit be issued if the Fire Chief shall have reason to believe that weather conditions, type or location of the materials to be burned, or the use of property within the area affected would cause the burning to be a hazard or otherwise violate the provisions of this section.

5. Appeal. Any person dissatisfied by the decision of the Fire Chief shall have the right of appeal within ten (10) days from the date of the decision with the City Clerk. The Council shall set a date for a hearing within ten (10) days from the date of filing such notice of appeal.

Section 1 308.2.2 Projection of Ignited Materials. Add Section:

No person shall drop or throw ignited material from a structure or vehicle.

Section 308.3.1.2 Fire Hazard Prohibited. Add Section

- a. In Group R, Division 1 & 2 occupancies, a person shall not construct, erect, install, maintain or use any incinerator or barbecue pit or grill or so burn any combustible material as to constitute or occasion a fire hazard by the use or burning thereof or as to endanger the life or property of any person thereof.
- b. The use or burning of any such devices under the following conditions shall constitute a fire hazard and is strictly prohibited: 1. Within five (5) linear feet of any combustible surface, including but not limited to decks, porches, balconies, walls, or verandas. 2. Beneath any balcony, porch, roof overhang, deck, or veranda

Section 314.5 Atrium Furnishings. Add Section:

Management shall document atrium furnishings for BTU content per pound when requested by the Fire Chief.

Section 315.2.3. Equipment Rooms. Add to end of sentence: nor within ten (10) feet of any furnace or boiler room door.

Section 316 Parade Floats.. Add Section:

Section 316.1 Decorative Materials. Add Section Decorative material on parade floats shall be noncombustible or flame retardant.

Section 316.2 Fire Protection. Add Section Motorized parade floats and towing apparatus shall be provided with a minimum 2-A, 10-B:C-rated portable fire extinguisher readily accessible to the operator.

Section 316.3. Exhaust Pipes. Add Section. Motorized float exhaust pipes must be extended past the exterior of the float and be clear of all decorative material.

Section 316 4 . Escape Hatch. Add Section. Motorized floats shall be equipped with a quick escape hatch from interior driver compartments.

Section 317 FOOD BOOTHS. Add Section:

- a. For permit to operate a food booth, See Section 105.6.18.1.
- b. It shall be unlawful to operate a booth without a permit required by Section 105.6.18.1
- c. All decorative materials shall be fire resistive or flame retardant.
- d. Cooking appliances shall be installed and maintained in such a manner as not to create a fire hazard.
- e. A food booth shall consist of an area ten (10) feet by ten (10) feet. Extended food booths that exceed ten (10) feet by ten (10) feet space selling more than one item will be charged additional fees. These fees will be charged one hundred (100) square foot increments and any portion thereof.
- f. A 40-B:C or 2A, 40 B:C dry chemical fire extinguisher shall be provided where deep fat fryers are used, and the total well area exceeds five (5) square feet. All others booths shall provide a 2A, 10 BC fire extinguisher.

Section 318 Sidewalk gratings. Add Section:

There shall at all times be maintained under every sidewalk grating a metal catch pan. Such catch pan shall extend not less than four (4) inches past and beyond all sides of the grating and shall be regularly cleaned and kept free from all accumulation of dirt and refuse.

Section 319 Sidewalk dead lights. Add Section:

All sidewalk dead lights shall be kept in good repair, and broken dead lights shall be replaced within twenty-four (24) hours after notice has been served to make necessary repairs.

Section 404.2.1 Evacuation Plan. Add Section:

The operator of premises housing an E Occupancy shall:

1. Prepare an emergency evacuation plan for review and approval by the Fire Marshal;

2. Post the evacuation plan in a conspicuous location in each classroom; and
3. Instruct all supervisory personnel and all students in the evacuation procedure.

See also Section 404.3.2.

Section 404.2.2 Emergency Plans. Add Section:

Places of Assembly Division 1, 2, 3, and 4 shall have written emergency plans approved by the Fire Chief.

Section 405.2.1 Fire Drill Records. Add Section . Fire Alarm Drill Records.

A record of all required fire drills shall be kept by the person in charge of the occupancy and forwarded to the chief on a quarterly basis. Records of fire drills shall include the time and date of each drill held, the name of the person conducting such drill and the time required to vacate the building. Reports must be made each school year to the Public Education Section of the Texas Commission on Fire Protection, P.O. Box 2286, Austin, Texas 78768, on forms they provide.

Section 405.2.2 Fire Drills for E Occupancies. Add Section .

The operator of premises housing an E Occupancy use shall:

1. Conduct at least two fire exit drills during the first two weeks of a new school year and at least one each month of operation.
2. Drills shall be executed at different hours of the day; during the changing of classes; when the school is at assembly; during the recess or gymnastic periods; etc., so as to avoid distinction between drills and actual fires. If a drill is called when pupils are going up and down the stairways, as during the time classes are changing, the pupils shall be instructed to form in file and immediately proceed to the nearest available exit in an orderly manner.
3. Maintain a written report of each fire drill in the office of the operator of the premises.

Section 405.5.2.2.1 Fire Drills for E Occupancies. Add Section .

The operator of premises housing an E Occupancy shall conduct fire drills:

1. Without warning;
2. In a manner requiring:
  - a. all students to immediately leave the structure upon hearing the fire drill signal;
  - b. a roll call by classes outside the structure; and
  - c. doors to be closed as each area is evacuated;

3. In a manner simulating fire conditions;
4. In a manner prohibiting students from running or playing;
5. If approved, in a manner permitting security persons to remain inside the structure during drills;
6. Which include:
  - a. Complete checks of each section of the structure;
  - b. The use of varying evacuation routes;
  - c. Occasional simulation of blocked exits;
  - d. Provisions for calling the fire department; and
  - e. The use of varying drill times;
7. During weather which does not pose a health threat to students;
8. As an exercise in discipline and procedure, rather than speed;
9. Alarm from pull stations;
10. According to the following signal criteria in schools relying on the class change bell for a fire alarm;

<u>Number of Signals</u>	<u>Meaning of Signals</u>
3	Fire drill - Leave the structure in an orderly manner
2	Return - Re-Enter the structure in an orderly manner
1	Halt - Stand quietly

Section 405.5.2.2.2 Fire Drills for E Occupancies Add Section . FIRE MARSHAL'S POWER TO ORDER FIRE DRILL.

The Fire Marshal may require a fire drill at any E Occupancy at any time.

Section 408.2.3 EXHIBIT HALLS - GENERAL. Add Section:

The operator of premises used as a place of exhibition shall:

1. Notify each leasee of the Fire Code requirements at the time the lease is made;
2. Where required by the Fire Marshal, submit to the Fire Marshal, fifteen (15) days before public operation, a detailed explanation of the nature of the operation and two (2) copies of accurately scaled floor plans which show:
  - a. The exhibit layout;
  - b. Aisles;
  - c. Exits;
  - d. Exhibits;
  - e. Show decorator's booth;
  - f. Location and nature of fire extinguishing equipment;

- g. Dates when open to the public or trade; and
- 3. Construct, operate, and maintain, the exhibition in a manner satisfying this code and the approved plans.
- 4. Shall employ one (1) or more certified fire inspector (s) of the SAFD as required and approved by the Chief, to be on duty at such place whenever, in the opinion of the Chief, it is essential for public safety.
- 5. A floor plan of display area must be submitted to the Fire Chief at least 15 days prior to the event for approval.

Section 408.2.4 Sitting or Standing in Aisles Prohibited. Add Section:

The operator of premises used as a place of assembly shall prevent the sitting or standing in aisles, passageways, or stairways, while the premises are occupied.

Section 408.2.5 Automotive Vehicles: Equipment in Exhibit Halls. Add Section:

The operator of and exhibitors at premises used as a place of exhibition may display automotive vehicles and equipment inside a structure if:

- 1. The amount of fuel in the vehicle or equipment fuel tanks is limited to the greater of:
  - a. The minimum amount adequate for vehicle positioning; or
  - b. One quarter tank or 5 gallons, whichever is less
- 2. Vehicle or equipment tanks are effectively locked or adequately sealed;
- 3. Vehicle or equipment battery cables are disconnected from the ignition systems;
- 4. Vehicle or equipment ignition keys are possessed at all times by a responsible person at the display location;
- 5. Vehicle operation is limited to brief parade type displays as specifically approved by the Fire Marshal;
- 6. Show vehicles with LPG tanks shall not be permitted inside the exhibit halls.

Section 501.3.1. Construction documents. Add Section. Two (2) copies of the Fire Protection Site Plan (labeled as such) shall be submitted with the construction documents when application is made for a building permit. Plans must be reviewed and approved by the Fire Chief before a building permit is issued. One (1) copy of the approved Fire Protection Site Plan will be retained by the City of San Antonio. The Fire Protection Site plan shall be drawn to scale (no less than 1:60) and shall show and include, but not be limited to, the following:

- 1. Compass reading.
- 2. Property and/or lot lines.
- 3. Street frontages.
- 4. Location of all buildings (existing and proposed).

5. Fire apparatus access roads (i.e., fire lanes) to buildings. Fire lanes shall be highlighted and shall include dimensions (width, turning radii, clearance to overhead obstructions, etc).
6. Fences, gates walls, streams and other obstructions to firefighter access.
7. Location of all fire hydrants (existing and proposed). This shall include the direction and the distance to all hydrants not shown on the site plan, but within one thousand (1000) feet of the building to be protected.
8. Size (diameter and length) and locations of all fire main piping (proposed and existing). The pressure class and type of new pipe to be installed shall be identified.
9. The location, type, and size, of backflow prevention device, where installed.
10. Location of all automatic sprinkler and standpipe risers.
11. Location of Fire Department connection(s).
12. Size, type, and location of valves including post indicator valve (if they are located in a pit), control room automatic sprinkler system shut-off, etc.
13. Other water supplies.
14. Where required, type of protection from collision that may cause physical damage to fire protection equipment.

Section 503.1.1 Buildings and facilities. Add EXCEPTION (4) to read as follows:

When Group R, Division 2 apartment houses are sprinklered in accordance with the Building Code, distance from the access roadway to all exterior portions of the first floor shall not exceed 200 feet. Distance may be measured through open breezeways having a clear width of 6 feet minimum.

Section 503.1.1.1 Fire Apparatus Access Roads. Add Section:

Upon the designation of a fire lane pursuant to this ordinance, the Fire Chief shall give notice of such designation to the owner of such designated premise, directing the owner to cause signs to be posted at the expense of the owner, at designated locations, lettered "Fire Lane - No Parking at any Time City Ord. 54547". Such signs shall be of standard size and color, of standard lettering and mounting, conforming to specifications established by the Director of Public Works. In addition to the signs, the owners of such designated premises at their option, or, if so directed by the Fire Chief, shall paint all fire lane curbs red with white-stenciled letters stating "Fire Lane, No Parking". It shall be unlawful to park any vehicle other than an authorized emergency vehicle in a designated fire lane when such signs are in place or such red curbing exists. In areas where the fire lane may not be clearly defined, the Fire Chief may require a four (4) inch red stripe be painted that defines the boundaries of the fire lane.

Section 503.2.1.1 Divided Entrance to Property. Add Section:

When guard houses, security stations, medians, or other similar use obstructions are so located as to create a one (1) way and partially obstruct the entrance(s) to a property, such one way entrance(s) shall be a minimum of fourteen (14) feet on each side of the

obstruction. This minimum requirement is only applicable at the point(s) of entrance(s) or exit(s). Turning radii shall be as permitted in Section 503.2.4.

Section 503.2.1.2. Mountable Curbs. Add Section:

Mountable curbs are permitted when approved by the Fire Chief.

Section 503.2.3 Surface. Add a second paragraph to read as follows:

Drivable grass surfaces, such as concrete grass pavers, are permitted when approved by the Fire Chief and in accordance with Sections 104.9.

Section 503.2.4 Turning radius. Add a second paragraph to read as follows:

The turning radius of a fire apparatus access roadway shall require a minimum of fifty (50) feet outside and twenty-five (25) feet inside radius on all turns in excess of thirty (30) degrees.

Section 503.2.5 Dead Ends. Amend to read as follows:

Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. Turn arounds approved by the Chief or as permitted by Appendix D are acceptable.

Section 503.2.5 Dead Ends. Add Exception:

Where Group R, Division 2 apartment houses are sprinklered in accordance with the Building Code, dead-ends shall not exceed 200 feet.

Section 503.2.7 Grade. Revise to read as follows:

The gradient for a fire apparatus access road shall not exceed twelve percent (12%).

Section 503.7 The Fire Chief to Designate Fire Lanes. Add Section:

The Fire Chief is hereby authorized to designate fire lanes on designated premises, as defined herein, where such areas must be free of parked vehicles and other obstructions to provide ready access to buildings therein, in case of fire or other emergencies. The designation by the Fire Chief of such fire lanes shall never be held to make the city responsible for the maintenance of such fire lanes, but the owner of such property shall continue to be responsible for the maintenance of such area. The official record of the designation and location of any such fire lane shall be kept in the office of the Fire Chief. Further, owners of the private property or their designated representative may request that additional fire lanes be designated by the Fire Chief.

Section 503.8 Summons to be Issued for Parking Violation. Add Section:

A summons or notice to appear in answer to a charge of parking in violation of this article, specifying the location of the fire lane in which such violation occurred and the date and time of such violation, may be issued by any police officer or any member of the Arson Investigating unit or inspectors in the Fire Prevention Bureau of the Fire Department.

Section 503.9 Unlawful to Park in Fire Lane. Add Section:

It is hereby declared to be unlawful to park any vehicle other than an authorized emergency vehicle in any area designated as a fire lane in accordance with the requirements set forth in the Fire Code.

Section 503.10 Unlawful to Remove No Parking Signs. Add Section:

It is hereby declared to be unlawful for any person, without lawful authority, to attempt to remove any sign designating a fire lane erected pursuant hereto.

Section 503.11 Removal of Vehicle by Property Owner. Add Section:

The owner, or the agent of the owner, may have any motor vehicle that is parked in a required fire lane, except an authorized emergency vehicle, removed and stored at the expense of the owner or operator of the vehicle.

The owner of the premises, or his agent, who has a vehicle removed and stored, is not liable for damages incurred by the owner or operator of the vehicle as a result of removal or storage, if the vehicle is removed by a vehicle wrecker service insured against liability for property damage incurred in towing vehicles and is stored by a storage company insured against liability for property damage incurred in the storage of vehicles.

Section 503.12 Removal of Vehicle by Fire Chief. Add Section:

Any vehicle parked in any designated fire lane may be removed at the vehicle owners' expense on authorization of the Fire Chief under the following conditions:

1. When the vehicle violates the fire lane ordinance by parking in a fire lane, or
2. When a vehicle blocks the ingress/egress of a business, theater, night club, apartment complex, gymnasium or a place of assembly, or
3. When a vehicle's presence threatens the life safety of the public by impeding the ability of the fire apparatus and emergency medical equipment to respond to an emergency.

The Fire Chief shall cause such vehicle to be removed by the towing service operating under a contract with the city and shall further cause such vehicle to be impounded in one of the Police Department Vehicle Storage sections.

Section 503.13 Abandonment of Fire Lane. Add Section:

No owner, manager or person in charge of any premises served by a required fire lane shall abandon or close any such fire lane without the written permission of the Fire Chief.

Section 505.3 Multi-Building Complexes. Add Section:

Office, industrial and apartment complexes shall be identified by name and number on a display board at the main entry roadway.

Section 505.3.1 Multi-Building Complexes. Add Section:

Office and industrial complexes with multiple addresses contained within shall post all addresses so that they are visible from roadway.

Section 505.4 Mall Lease Spaces. Add Section:

Each mall lease space shall be identified by a uniform size number at a uniform easily visible location in proximity to exterior and mall entrance doors.

Section 506.2.1 Key Box Access and Removal of Keys. Add Section:

The Fire Department shall have the only key to the key box.

Removal of any key by other than the authorized Fire Department personnel shall be a violation of this code.

Section 506.3 Key Box Location and Contents. Add Section:

Required key boxes shall be located as follows and as approved by the Chief:

1. Within twelve (12) feet of the emergency elevators and visible from the entrance to the emergency elevator or,
2. Between eight (8) feet and ten (10) feet to the side of the main entrance level to the building and between eight (8) to ten (10) feet from the grade where practical.

The key box shall contain designated keys essential to emergency operations, including but not limited to the following:

1. Elevator keys capable of accessing all floors in the building
2. Stairway keys
3. Fire control station keys
4. Alarm System keys

Section 508.3 Fire flow to main. Add Sentence. Fire Flow requirements shall be as per Appendix B of the International Fire Code or other approved method as determined by the Chief.

Section 508.3.1 Water supply. Add section: The water supply requirements for most rural, isolated structures may be determined as follows: The Chief may modify the fire flow requirement for small isolated buildings or light hazard occupancies (as defined in the 2002 Edition of NFPA 13, Section 5.2 and Appendix Section 5.2) under the following conditions:

1. The building is fully sprinklered (R-1, R-2, and R-3 occupancies using NFPA residential sprinkler systems shall be considered fully sprinklered for the purposes of this subsection of 508.3.1), and
2. The automatic sprinkler system demand is provided, and
3. The building is located in a subdivision area considered by the Code Official to be in a rural setting, and
4. Provision of a fully compliant water supply is a severe economic burden, and
5. Provision of a minimum 60 foot yard between the buildings and property lines (dedicated right-of-way may be used to obtain clear distance), and
6. When the Fire Code required fire flow is available at the property line, the owner shall connect to the water supply system and provide on-site fire hydrants and water supply as is otherwise required by the code.

Section 508.4 Water supply test. Amend section to read: Adequacy of the water supply shall be determined by a flow test that is conducted on the fire hydrants nearest the project site unless otherwise approved by the Code Official.

1. The flow test shall have been conducted no more than twelve (12) months prior to the date of construction document submittal to the City of San Antonio.
2. The flow test results shall be submitted with the construction documents in accordance with the COSA standard fire flow test format.
3. If the water supply piping is not yet constructed, hydraulic calculations for the proposed piping design shall be submitted. The calculations shall be based on the flow test conducted on the fire hydrants nearest the project site and shall verify that the piping design provides the minimum required fire flow at no less than 20 psi residual. Upon completion of construction and prior to final certificate of occupancy, a flow test shall be conducted to verify the results of the calculations.

Section 508.5.1 Where Required. Amend to read:

Additional public fire hydrants are required where inadequate protection as defined in Section 508.5.1.3 below is afforded by existing hydrants for non-single family developments and when proposed hydrants, in conjunction with the existing hydrants, will not cause the public or private fire hydrants to be spaced closer than three hundred (300) feet apart. Upon request, the Fire Chief may approve hydrant spacing closer than three hundred (300) feet. Private fire hydrants are required for Fire Department use:

1. Where the complexity of the project justifies their installation as determined by the Fire Chief; or
2. Where the five-hundred (500) foot hose lay distance criteria as specified in Section 508.5.1.2 below is not met, but too close spacing of public hydrant would result if additional public hydrants were installed; or
3. When a building is not within the five-hundred (500) foot hose lay distance criteria from where public hydrants could be installed.

Section 508.5.1.1 Permit Requirement. Add Section:

A permit from the Fire Department shall be obtained before work begins in every case where new private fire mains and hydrants are planned. Installation must be performed by fully experienced and responsible persons working from plans approved by the Fire Chief.

Section 508.5.1.2 Fire Hydrant Location and Spacing for Non-Single Family Developments. Add Section:

1. Sufficient fire hydrants shall be considered to have been provided when:
  - a. Not more than five hundred (500) feet of hose will be required to reach from a fire hydrant to all exterior portions of the first floor of the structures in question; and

Exception No. 1: Where Group R, Division 2 occupant apartments are sprinklered in accordance with the Building Code, distance from hydrants to all exterior portions of buildings shall not exceed 750 feet as the hose lays. See Section 912 for location of fire department connection.

Exception No. 2: For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement may be increased by the Chief.

- b. All fire hydrants required as prescribed by Appendix C of the International Fire Code shall be within five hundred (500) feet of a point on the building being protected measured per the hose lay criteria in Section 508.5.1.3.

Exception No. 1: For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement may be increased by the Chief.

### Section 508.5.1.3 Fire Hydrant Location and Spacing. Add Section.

Fire hydrants shall be located and spaced per the following criteria:

1. Hose lay is measured along public streets, fire lanes, and access roadways for Fire Department vehicles including not over one hundred fifty (150) feet of pulling hose by hand as specified in Section 508.1 .
2. No fire flow credit is allowed for hydrants which are so obstructed as to make their use impractical, such as hydrants across main line railroad tracks that are in heavy use or across limited access highway, expressways, primary thoroughfares, across streams, walls, etc.
3. Hydrant spacing along both public and private water mains shall not exceed six hundred (600) feet.
4. Fire hydrants shall be located along the public right-of-way or along the Fire Department access roadways, preferably at intersections or on islands separating parking areas, which cannot be obstructed by parked vehicles. Hydrants in areas subject to physical damage shall be protected from collision. Fire hydrants across more than four (4) lanes of traffic (including turning lanes) or across medians are not considered accessible.

### Section 508.5.2.1 Hydrostatic Test Requirements. Add Section:

All new private fire mains must be subjected to a hydrostatic pressure test at not less than two hundred pounds per square inch (200 psi) pressure for two (2) hours or at fifty pounds per square inch (50 psi) in excess of the maximum static pressure when the maximum static pressure is in excess of one hundred fifty pounds per square inch (150 psi). The trench shall be backfilled between joints before testing to prevent movement of the pipe. The pipe shall be tested in accordance with the San Antonio Water System's Standards and Specifications for Water Works Construction, (Flushing and Testing Mains). The test shall be conducted in the presence of the Fire Inspector. The installing company shall furnish to the Fire Department a "Contractor's Material and Test Certificate" countersigned by the property Owner. Where multiple private hydrants are installed on a property, a gauge shall be placed on each hydrant during the hydrostatic test.

### Section 508.5.2.2 Private Hydrants. Add Section:

An inspection or visual observation shall be made monthly of all private fire hydrants to assure that they are clear and unobstructed. No plants, posts or other obstruction shall be within three (3) feet of the hydrant and the four (4) inch opening must be totally unobstructed from the street. Semi-annual tests shall be made by the owner of private fire hydrant by opening, flowing and closing the hydrants. Stems shall be oiled where required. Steamer and two and one-half (2 ½) inch caps shall be checked for thread condition and the threads lubricated. Inspection, testing and maintenance records shall be kept on the private fire hydrants and mains system and such records shall be available to the Fire Chief on request.

Section 508.5.2.3 Fire Hydrant Operation Test. Add Section:

Each fire hydrant shall be fully opened and closed under system water pressure and dry barrel hydrant checked for proper drainage. All control valves shall be fully closed and opened under system pressure to ensure proper operation. These tests shall be performed by the contractor and observed by the Fire Department.

Section 508.5.3.1 Private Fire Service Main. Add Section:

Private fire mains as used in this code are the pipe and its appurtenances on private property between San Antonio Water System, other public water system, or other source of water and the base elbow of private fire hydrants or the rise for automatic sprinkler or standpipe systems. When connected to a public water system, the private fire main begins at a point designated by the public water utility. When connected to a gravity tank or pressure tank, the private main begins at the inlet side of the tank check valve.

Section 508.5.3.2 Design Criteria for Water Mains. Add Section:

1. Where the private fire service mains are used to supply only fire hydrants, the private mains shall be sized to flow the required fire flow as determined by Section 508.3.
2. Where the private fire service mains are used to supply both fire hydrants and fire sprinkler systems, the private mains shall be sized to flow the required fire flow as determined by Section 508.3 plus the required fire sprinkler demand (including inside and outside hose stream).
3. Where the private fire service mains are used to supply fire hydrants, fire sprinkler systems, and fire standpipe systems, the private mains shall be sized to flow the required fire flow as determined by Section 508.3 plus the maximum of either the required fire sprinkler demand (including inside and outside hose stream) or the fire standpipe demand.
4. Where a private fire main is used in combination with a domestic water supply, the private fire main shall be sized to flow the required fire flow as determined by Section 508.3 plus the maximum of either the required fire sprinkler demand (including inside and outside hose stream) or the fire standpipe demand, plus the maximum expected domestic flow as determined by individuals approved by the Chief.
5. The required number of fire hydrants for the fire flow determined by Section 508.3 shall be as specified in Appendix C Table C105.1.
6. When sizing the private fire service main, the distribution of the fire flow among the required fire hydrants shall be as determined by the Chief, but in most cases shall have no less than 1,000 gpm at the hydraulically remote fire hydrant with the remaining fire flow equally distributed among the required fire hydrants with.
7. Main Size: (a) Minimum diameter for public water mains shall be six (6) inches in single-family residential areas and 8 inches in all other areas. Larger mains may

be required to accommodate fire flow requirements. (b) Private fire mains shall be hydraulically calculated.

- 8 Water pressure in private fire mains shall not be less than thirty-five pounds per square inch (35 psi) with no hydrants in use. When hydrants are in use supplying the required fire flow, water pressure in the main at the fire hydrant discharge level shall be not less than twenty pounds per square inch (20 psi) residual.
9. Except for specific requirements of this code all hydrants and mains required for private protection shall be designed, constructed, and operated in conformance with the local water purveyor's criteria, specifications and regulations for public fire hydrants and mains on public streets.

Section 508.5.7 Fire Hydrant Installation Criteria. Add Section

Fire hydrants shall be installed per the following criteria:

1. Fire hydrants shall be a minimum of eight (8) inches and a maximum of seven (7) feet from the gutter face of the curb.
2. The steamer connection shall be a minimum of one and one-half (1.5) feet and a maximum of two (2) feet above grade
3. All private hydrants shall be painted red.
4. Fire hydrants shall be right turn only.

Section 603.10 Fire Extinguishers. Amend to read as follows:

A 40-B:C or a 2-A, 40-B:C dry chemical fire extinguisher shall be provided where deep fat fryers are used, and the total well area exceeds five (5) square feet.

Section 607.4 Emergency Elevators. Add Section:

In every building in the city that is equipped with one or more elevators, all elevators having a travel of seven (7) feet or more shall be kept in readiness for immediate use by the Fire Department. Such elevators shall be equipped for fire emergency use by the firefighters to include automatic recall of the elevator to ground level by elevator lobby smoke detector or elevator machine room smoke detector and manual control of the elevator by use of commandeering switch in or adjacent to the operating panel of each elevator car. The commandeering switch key for automatic elevators shall be located in a key box at a position approved by the Fire Chief. The Fire Department shall have the only key to the key box. All new elevators, dumbwaiters, escalators and moving walks and major alterations to such conveyances and the installation thereof shall conform to the requirements of the American National Standard Institute ANSI/ASME A17.1 2002 Safety Code for Elevators and Escalators, published by the American Society of Mechanical Engineers, except as otherwise provided in this chapter.

Section 804.1.1 Restricted occupancies. Add Exception No. 3:

Live Christmas trees with root systems are allowed with no display time limitation in any occupancy.

Section 804.1.1 Restricted occupancies. Add Exception No. 4

Cut natural Christmas trees shall not be allowed in the following occupancies under any circumstances: hospitals or nursing homes, convalescent homes or similar institutions, child day care centers, kindergartens, primary and secondary schools, and penal detention centers.

Section 804.2.1 Location of Christmas Trees. Add Section:

Cut natural Christmas trees shall not be placed in a location so as to endanger the exit pathway.

Section 804.5 Length of Display. Add Section:

No cut natural Christmas tree shall be displayed in a non-residential occupancy for more than fifteen (15) days from the date of purchase.

Section 804.6 Violations. Add Section:

Any violation of any provision of this section (ordinance) shall be subject to the penalties provided by the San Antonio City Code Section 11-1 providing a maximum penalty of two thousand (\$2,000.00) for each violation.

Section 805.2.1 Flameproof Testing by Fire Marshal. Add Section:

The Fire Marshal may test decorative materials to determine if they are adequately flameproof.

Section 901.2.2 Sprinkler Plans. Add Section:

Two (2) sets of sprinkler system working plans shall be submitted to the Fire Chief for approval and filing, and a permit for installation received before any equipment is installed or remodeled. The Fire Chief will review, inspect and approve the sprinkler system based on these plans and the required tests to the system. Designers and installers shall comply with the 2002 Edition of NFPA 13.

Section 901.5.2 Approval of Sprinkler Systems. Add Section:

The installer shall schedule and give the Fire Chief two (2) working days advance notification of the time and date that he wants to perform acceptance test on the automatic sprinkler system.

Section 901.5.3 Acceptance Test. Add Section:

A representative of the Fire Chief shall witness all acceptance tests for automatic sprinkler system.

Section 901.5.4 Test Certification. Add Section:

The installer shall perform the acceptance test and complete the "Contractors Material and Tests Certification" for the owner and provide the Fire Chief with a copy prior to requesting approval of the installation.

Section 901.7.2.1 Signage for system out of service. Add Paragraph:

When an automatic sprinkler system, standpipe system or, any portion thereof is out of service for any reason a sign shall be posted on each fire department connection indicating what portion of the system is out of service.

Section 903.1.2 Modifications. Add Exception.

Exception: Group R, Division 2 occupancy apartments.

Section 903.2.1.6 Basements. Amend to read as follows:

An automatic sprinkler system shall be installed in basements classified as a Group A Occupancy regardless of size.

Section 903.2.10.1.1 Opening dimensions and access. Add sentence:

Openings shall have a finished sill height, which is no more than forty four (44) inches above the finished floor level of the story, which the opening is serving.

Section 903.2.14 Isolated Hazardous Areas. Add Section:

Sprinkler piping serving not more than six (6) sprinklers for any isolated hazardous area may be connected directly to a domestic water supply system having a capacity sufficient to provide fifteen hundredths (0.15) gallon per minute per square foot of floor area throughout the entire closed area. An indicating shut-off valve shall be installed in an accessible location between the sprinklers and the connection to the domestic water supply.

Section 903.4 Sprinkler System Monitoring and Alarms. Add EXCEPTION 8:

Where Group R, Division 2 apartment houses are sprinkled in accordance with the Building Code, water-flow switches shall be electrically monitored at an approved central station, remote station or proprietary supervising station as defined by national standards,

regardless of the number of sprinklers. Sprinkler control valve supervision shall be permitted to be achieved by locking valves open.

Section 903.5.1 Testing and maintenance. Add Section:

The owner shall provide for proper maintenance of the automatic sprinkler system. A maintenance agreement with a licensed automatic sprinkler company shall be provided as per the 2002 Edition of NFPA 25.

Section 903.7 Separation from Non-Sprinklered Areas. Add Section:

Unless otherwise exempted by the International Building Code or International Fire Code or required to be of a higher fire resistive construction by the Building Code, the fire resistive separation between sprinklered and non-sprinklered areas within a building shall be a minimum of a fire partition constructed in accordance with International Building Code Section 708.

Section 904.2.1.1 Permit Required. Add Section:

Permit for automatic fixed pipe extinguishing system installation shall be obtained from the Fire Marshal's Office. At the time a permit request is made, a diagram detailing exactly what will be installed at the "permit site", shall be submitted for Fire Department review and files.

The diagram shall include:

1. Approximate length of pipe and elbows
2. Distance of nozzles from grill area
3. Exact number of nozzles; size and type of nozzle
4. Number and location of fusible links
5. Size of cooking surface area, hood, and vent area
6. Location of manual pull
7. Location of automatic gas or electric shut-off; electric shut-off is to be a total shut-off.
8. The location of the automatic extinguishing system in the room and distance of exits must be shown.

The installation is not complete until all automatic electric or gas shut-offs are installed. Permittee is responsible for the total installation. Permittee shall call Fire Prevention for a final inspection after the system is completed. The Fire Inspector shall require an operations test of the system be performed on the final inspection. Agent discharge shall not be required if: (a) Installer certifies in writing that system has been designed and installed in accordance with manufacturers specifications, and (b) An air discharge test is performed.

Section 904.4.4 Chemical Extinguishing Systems. Add Section:

The owner or occupant shall provide for proper maintenance of the chemical extinguishing system. A maintenance agreement with licensed specialist shall be provided.

Section 904.4.5 Inspection. Add Section:

On a monthly basis, inspection shall be conducted by the owner or occupant in accordance with the manufacturer's recommendations. As a minimum, this inspection shall include the following: (a) The extinguishing system is in its proper location (b) Manual actuators are unobstructed (c) Tamper indicators and seals are intact (d) Maintenance tag or certificate is in place (e) No obvious physical damage or condition exists which may prevent operation. (f) Pressure gauge(s), if provided, are in operable range.

Section 904.4.6 Corrective Actions. Add Section:

If any deficiencies are found, appropriate corrective action shall be taken immediately. Personnel making inspections shall keep records for those chemical extinguishing systems that were found to require corrective actions. At least monthly, the date the inspection was performed and the initials of the person performing the inspection shall be recorded.

Section 904.4.7 Maintenance, Recharging and Hydrostatic Testing. Add Section:

Chemical extinguishing systems shall be maintained, recharged and hydrostatically tested in accordance with their respective code. See Table 901.6.1 and amendments to Chapter 45.

Section 904.12 Obstruction of Basement Pipe Inlets. Add Section:

No goods, wares or merchandise, or any other obstruction of any kind or description shall be stored or placed near or under any basement pipe inlet in such a manner as to interfere with the proper operation of any circulating nozzle or other device used through such basement pipe inlet by the Fire Department, in case of fire.

Section 905.11 Delete Section

Section 905.2.1 Plans and Specifications. Add Section:

Plans and specifications for standpipes shall be submitted to the Fire Department Plans Checker for approval. Approved plans shall be adhered to by the builder or he shall submit revised plans.

Section 905.2.2 Wet Systems. Add Section:

All standpipes shall be wet system type unless otherwise approved by the Fire Chief. A two and one-half (2-1/2) inch by one and one-half (1-1/2) inch reducer shall be provided on Class-I standpipe connections with caps and chains. EXCEPTION: Class-I dry standpipes are permitted in Group S, Division 2 open parking garages.

Section 905.3 Standpipes. Plans and Specifications. Add Paragraph:

Two (2) copies of plans showing the locations, sizes, and connections of the fixed portion of the standpipe system shall be furnished to the Fire Chief. The plans must be drawn to scale and shall include the details necessary to indicate clearly all of the equipment and its arrangement. The plans shall be accompanied by specifications covering the character of the material and the features relating to the installation in detail. Designers and installers shall comply with the 2003 Edition of NFPA 14.

Section 905.3.7 Nozzles. Add Section:

Class II standpipe hose shall be equipped with smooth bore nozzles with shutoffs unless otherwise approved by the Fire Chief.

Section 906 PORTABLE FIRE EXTINGUISHERS

Section 906.1 Where required. Add section:

7(a) In existing Group R 1 & 2, one 2A; 10 BC fire extinguisher is required to be installed in common areas with the following limitation: The extinguisher is designed to protect up to 3,000 square ft. and the maximum travel distance from any protected area to the extinguisher is 75 ft.. This distance requirement does not apply to vertical distances. One extinguisher per floor is required as well as one extinguisher per breezeway. The extinguisher is to be mounted no less than 4 inches from the floor, nor higher than 5 ft. from floor to the top of the extinguisher. Another method in those locations where it is determined by the fire inspector that the security of the extinguishers in common areas is questionable, the fire inspector may require that each individual apartment unit be provided with one 1A; 10 BC extinguisher. This extinguisher is to be mounted inside the cabinet under the sink in the kitchen.

7(b) For new construction of Group 1 & 2, the contractor or owner can choose one of the above methods to follow. If the first method is chosen and it is determined by the fire inspector that security is uncertain, or if at any time complaints are received that extinguishers are missing, the fire inspector will require fire extinguishers to be installed in each individual apartment as per second method.

Section 907 Fire Alarm and Detection Systems:

Section 907.2.2 Group B. Amend to read as follows:

Occupancies shall be provided with an approved manually operated fire alarm system if:

1. The building is three or more stories in height, or
2. The occupancy is subject to 1000 or more total occupants.

Section 907.2.4 Group F. Delete Exception

Section 907.2.7 Group M. Delete Exception

Section 907.2.10.5 Existing Residential Dwellings. Add Section:

One battery-operated smoke detector shall be installed adjacent to each group of sleeping rooms in every existing residential dwelling.

Section 907.2.10.6 Fire Warning Systems. Add Section:

Every existing dwelling unit, and every existing guest room in a hotel or lodging house used for sleeping purposes shall be provided with smoke detectors conforming to International Fire Code Section 907.2.10 and 2002 NFPA 72 In dwelling units, detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. In an efficiency dwelling unit, hotel sleeping room and in hotel suites, the detector shall be centrally located on the ceiling of the main room or hotel sleeping room. Where sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to directly above the stairway. All detectors shall be located in accordance with approved manufacturer's instructions. When actuated, the detector shall provide an alarm in the dwelling unit. When actuated, the detectors in guestrooms, apartments, dormitories, and lodging houses, shall provide an alarm in these areas.

A smoke detector shall be installed in the basement of dwelling units having a stairway which opens from the basement into the dwelling. Such detector shall be connected to a sounding device or other detectors to provide an alarm which will be audible in the sleeping area.

Section 907.2.23.1 Fire Alarm Systems - When Required. All Other Occupancies. Add Section:

All other occupancies having an occupant load of 1000 or more shall be provided with a manual fire alarm system.

EXCEPTION: Open Parking Garages

Section 907.3 is hereby deleted.

Section 907.4 Manual Fire Alarm Boxes:

Section 907.4.1 Location. Add Exception 2. Where construction of the building prohibits the proper installation of a pull station (i.e. glass walls), a pull station shall be allowed to be located in the normal path of egress, where approved by the Fire Chief.

Section 907.11.1 Fire Alarm Systems - Emergency Control. Add Section:

When required by the authority having jurisdiction, the following functions shall be activated by the fire alarm system:

1. Elevator capture and control in accordance with ASME/ANSI A17.1-2002 , Safety Code for Elevators and Escalators.
2. Release of automatic door closures
3. Stairwell or elevator shaft pressurization
4. Smoke management or smoke control systems
5. Initiation of automatic fire extinguishing equipment
6. Emergency lighting control
7. Unlocking of doors
8. Emergency shutoff of gas and fuel supplies that may be hazardous providing the continuation of service is not essential to the preservation of life.

Section 907.20.1.1 Fire Alarm System Maintenance. Add Section:

The owner shall provide for proper maintenance of the fire alarm system. A maintenance agreement with a licensed fire alarm company shall be provided as per the 2002 Edition of NFPA 72.

Section 907.20.5.1 Fire Alarm System Records. Add Section:

Inspection, Testing and Maintenance shall be conducted in accordance with the 2002 Edition of NFPA 72, and a record kept showing the date and name of person conducting the activity. Such record shall be kept by the property owner at least three (3) years and made available to the Fire Chief or his representative upon request.

Section 907.21 Special Provisions for Buildings Other Than High-Rise. Add Section:

1. Alarm signal may be electronic sound, a horn, siren or klaxon.
2. Alarm to sound at minimum on:
  - a. Floor of incident
  - b. Floor above
  - c. Floor Below
3. Alarm to sound on signal from:
  - a. Manual pull station

- b. System smoke detector
  - c. Extinguishing system operation
- 4. A pre-alarm feature may be used to investigate a signal from a single system smoke detector. Request to use any pre-alarm feature must be made in writing to the Fire Marshal and approval received before installation.
- 5. A general alarm must be automatically sounded throughout all parts of the building if the alarm from pull station or smoke detector is not investigated and reset within five (5) minutes from the time the alarm is first actuated. Silencing the alarm as allowed in (d) above will not interfere with the time cycle for the general alarm.

Section 907.22 Special Provisions for High-Rise Voice Alarm System. Add Section:

1. The operation of any system smoke detector (not including guest room detector or dwelling unit detector), sprinkler, water flow device or manual fire alarm station shall automatically sound an alert signal to the floor of incident, the floor above, and the floor below, followed by voice instructions giving appropriate information and direction to the occupants. Pre-recorded or live voice evacuation instructions from a constantly attended location on the premises to the occupants shall be permitted. Pre-recorded instruction shall be preceded by not less than 5 seconds or more than 10 seconds of continuous alerting signal. The alarm signal may be an electronic sound, a horn, siren or Klaxon. Pre-recorded or live instructions shall be repeated 3 or more times. Upon completion or failure of pre-recorded instructions, the fire alarm evacuation signal must re-continue. Live voice instructions shall be permitted to interrupt the pre-recorded message or the fire alarm evacuation signal.
2. Actuation of the voice alarm system shall occur by any or all of the following means of initiation, but not limited thereto:
  - a. Manual pull station
  - b. System smoke detector
  - c. Extinguishing system operation
3. A pre-alarm feature may be used to investigate a signal from a single system smoke detector. Request to use any pre-alarm feature must be made in writing to the Fire must be automatically Marshal and approval received before installation.  
(d) A general alarm sounded throughout all parts of the building if the alarm from a pull station or smoke detector is not investigated and reset within 5 minutes from actuation of the first alarm. The sequence of the alarm shall comply with (a) above.

Section 907.23 Alarm Signal Silencing Switch. Add Section:

A switch for silencing the alarm signal sounding appliances shall be permitted only if it is key operated or located within a locked cabinet. Such a switch shall be permitted only if visible zone alarm indication or equivalent has been provided by approved annunciation, printout, or other approved means, and subsequent alarms on other initiating devices circuits will cause the audible alarm signaling appliances to resound. A switch that is left

in the "silence" position when there is no alarm shall operate trouble signals until the switch is restored to normal.

Section 912.7 Fire Department Connections. Add Section:

Sprinkler system and standpipe fire department hose connections shall be as follows:

1. One five inch (5") inlet for each thousand (1000) gpm required fire flow and one (1) two and one-half (2 ½) inch inlet for each additional two hundred fifty (250) gpm increment in required fire flow or portion thereof. (see Appendix B Section b105.2 of these amendments); and
2. On the street side of the building or in a location approved by the Chief; and,
3. Within forty (40) feet of a public street, approved fire lane or access roadway; and
4. Within two hundred fifty (250) feet of an approved fire hydrant measured per hose lay criteria in Section 508.5.1.3 except for R-2 Apartments the fire department connection shall be within five hundred (500) feet of an approved fire hydrant measured per hose lay criteria in Section 508.5.1.3; and
5. So as to be visible and accessible without interference within five (5) feet on either side of the connection from any nearby objects including buildings, fences, electrical equipment, posts or other fire department connections (see Section 912.3); and
6. Minimum of two (2) feet above finished grade and a maximum of four (4) feet above finished grade; and
7. The Chief shall approve the location of freestanding fire department connections.

Section 1005.3.6.6 Exterior Fire Escape. Add Section: Any existing exterior fire escape which is deemed to be an adequate fire escape under the laws of the state or under the provisions of the city fire prevention regulations shall be deemed an adequate means of egress for emergency use, as required by this chapter, and the number of existing exterior fire escapes shall be provided to comply with the fire escape law of the state and the city fire prevention regulations.

Section 1008.1.8.7 Stairway Doors Exception 1. Add Sentence so that paragraph reads: Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side with written approval of the Fire Chief.

Section 1008.1.8.8 Stairway Identification and re-entry identification. Add Section:

Section 1008.1.8.8.1 Where no re-entry is provided from the stairs to any floor, the sign shall read 'No Re-Entry'. In such case a sign of same dimensions also shall be on the corridor side of the stair door at each floor to read 'No Re-Entry From This Stair'.

Section 1008.1.8.8.2 Where re-entry is provided to specified floors:

1. On the stair side of the door where re-entry is provided, the sign shall read 'Re-Entry on This Floor'.
2. Where no re-entry is provided on that floor, the sign on the stair side of the door shall read 'No Re-Entry, Nearest Re-Entry on the \_\_\_\_\_ and \_\_\_\_\_ Floors'. Also, a sign shall be placed on the corridor side of floors where re-entry is locked to read 'No Re-Entry'.

Such information shall be in one-inch high block lettering with 1/4-inch stroke and placed on the sign above the required information regarding roof access from the stairway.

Section 1909.6 Lumber storage other than commercial lumber dealers. Add Section

It shall be unlawful for any person within the city limits to place, pile, or cause to be placed or piled, any lumber or timber to a greater height than six (6) feet at the top most portion from ground level. Storage of lumber in such instances must allow at least an eighteen (18) inch space from ground level to bottom of the lumber pile. Such pile must be at least three (3) feet from any adjoining property line and total pile area shall not exceed one hundred (100) square feet. Any lumber stored or kept upon, or in, any premises in the city must be piled in a neat and orderly manner free from rubbish or other waste materials. Nothing in this section shall apply to storage of lumber by commercial lumber dealers.

Section 2201.7 Portable Service Stations. Add Section:

1. No person shall own, operate or maintain a tank used for the storage of flammable liquids maintained on skids or a similar type stand which is designed or intended to be used for dispensing flammable liquids into the fuel tanks of motor vehicles owned by the public.
2. The foregoing provisions of this article are intended to prohibit the use of so-called portable service station or similar units constructed to dispense flammable liquids to the motoring public and designed so that the unit can be easily picked up and moved.

Section 2204.4.1.1 Dispensing into Containers. Add Section:

A plastic portable gasoline container may be used if the container is labeled by an approved laboratory or by Factory Mutual, and is intended to be used for the product being dispensed.

Section 2204.4.1.2 Container Labeling. Add Section:

No sale or purchase of Class I or II flammable liquids shall be made in containers unless such containers are clearly marked with the name of the product contained therein.

Section 2206.2.1.1 Inventory Control for underground tanks. Amend to read as follows:

1. Accurate daily (normal working days only) inventory records shall be maintained and reconciled on all Class I, II or III-A liquid storage tanks for indication of possible leakage from tanks or piping. The records shall be made available for inspection by the Fire Chief, and shall include, as a minimum, records showing, by product: daily reconciliation, between sales, use, receipts, and inventory on hand. If there is more than one system consisting of a tank(s), serving pump(s), or dispenser(s) for any product, the reconciliation shall be made separately for each tank system.
2. Daily inventory shall be maintained for each tank system at each location by the operator. The inventory records shall be kept for a minimum of the past twelve (12) months at the premises.
3. Inventory shall be based on the actual daily measurement and recording of tank product and water levels and the daily recording of actual sales, use and receipts. Daily measurements shall be made by gage, gage stick or by readout from an automated gaging system. The inventory records shall include a daily compilation of gain or loss. The mere recording of pump meter reading and product delivery receipts shall not constitute adequate inventory records.
4. The operator of the location shall be held responsible for notifying the owner or person(s) in control of the facility to take action to correct any abnormal loss or gain not explainable by spillage, temperature variations or both causes.
5. The Fire Chief may require the operator of an underground tank storage system to test the system for tightness, at the operator's expense, when accurate daily inventory records have not been maintained as required or when in his judgment conditions indicate possible leakage of product from the location of such tanks.
6. The Fire Chief may require copies of Class I, II and III-A liquid storage tank inventories, deliveries or receipt of product sales and dip gage stick readings or other control measures in addition to copies of any tank tightness or line leakage test results from the station operator, agent, or terminal management.
7. When a service station tank is found to be leaking, its contents shall be removed immediately. If any investigations or tests indicate the source of such loss, the owner shall take immediate action to correct the system failure and remove dangerous spillage from the environment.
8. The Fire Chief may order the closure of a Service Station by barricading if necessary and the emptying of contents from storage tanks should the operator of a service station be unwilling to cooperate with the Fire Department during the search for the source of such leakage or should the

Fire Chief determine that a hazardous condition exists that merits such action.

Section 2206.2.3.1 Protected aboveground tanks for private motor vehicle fuel-dispensing stations outside buildings. Add Section

Section 2206.2.3.1.1 Motor vehicle fuel-dispensing station, private. Add Section:

That portion of property where flammable or combustible liquids used as motor fuels are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles used by the tenants of the building.

Section 2206.2.3.1.2 Size. Add Section:

Primary tanks shall not exceed a 2,000-gallon individual or 4,000-gallon aggregate capacity.

Section 2206.2.3.1.3 Breakaway Device. Add Section:

Dispenser hoses for Class I and II liquids shall be equipped with a listed breakaway device designed to retain liquid on both sides of a breakaway point.

Such devices shall be installed and maintained in accordance with the manufacturer's instructions.

Section 2206.2.3.1.4 Emergency Shut down Devices. Add Section:

Emergency shutdown devices shall be provided for all fuel dispensers. Emergency shutdown devices shall be located within seventy-five (75) feet of, but not less than twenty five (25) feet from dispensers. Activation of the emergency shutdown devices shall stop the transfer of fuel to the dispensers and close all valves, which supply fuel to the dispensers. Such devices shall be distinctly labeled as EMERGENCY FUEL SHUTDOWN DEVICE. Signs shall be provided in approved locations.

Section 2206.2.3.1.5 Inspections. Add Section:

An inspection of the installation shall be conducted prior to loading the tank with fuel. For those installations approved by the chief to dispense class I liquids the initial loading of fuel shall be witnessed by the Fire Inspector.

Section 2206.2.3.1.6 Required Access. Add Section:

Fire apparatus access roads shall be provided for every aboveground storage tank. The aboveground storage tank shall not be located more than one hundred fifty (150) feet from fire apparatus access roads as measured by an approved route.

Section 2206.2.3.1.7 Fire Hydrant Access. Add Section:

A minimum of one (1) fire hydrant shall be provided for every aboveground storage tank. The aboveground storage tank shall not be located more than five hundred (500) feet from a fire hydrant as measured by an approved route.

Section 2307.3.1 Height Markings on Walls and Columns. Add Section:

The owner of premises subject to this article shall provide and maintain conspicuous markings on walls and columns indicating maximum permissible storage height.

Section 2403.4 Permits. Amend to read as follows:

Permit to operate a tent or air supported structure shall consist of a Certificate of Occupancy issued by the Building Department.

Section 2703.4.1 Material Safety Data Sheet Submittal. Add Section:

The Fire Chief may require that information on the nature of any and all potentially hazardous material be submitted to the Fire Department on the Standard Material Safety Data Sheet provided by the U.S. Department of Labor Occupational Safety and Health Administration.

Section 2906 Construction and Protection Requirements. Add Section:

1. Handling and storage of large quantities of waste paper, rags, or other combustible materials shall not be allowed in a building of any type in excess of one thousand five hundred (1500) square feet area, unless the building is protected with an approved automatic sprinkler system.
2. Handling and storage building for waste paper, rags or other combustible materials shall not exceed one story in height, unless of Type I construction and fully protected with approved automatic sprinkler system.
3. No loose waste paper, rags, trash or rubbish of any kind, or similar combustible materials shall be allowed on the premises on the outside of any building.
4. Bales waste paper, rags, and other combustibles in baled lots, shall be stored in buildings in accordance with Section 28.104 of this code, which requires aisles at twenty-five thousand (25,000) cubic feet of stored materials. Baled materials if stored outside of buildings, shall not be stored within twenty-five (25) feet of any building. EXCEPTION: Baled materials may be stored within twenty-five (25) feet of outside wall of building when a wall sprinkler curtain is provided on the building.

Section 3301.1.3.1 Unlawful Possession of Fireworks. Add Section:

It shall be unlawful for any person to have, keep, store, sell, offer for sale, give away, use, transport or manufacture fireworks or pyrotechnics of all kinds in any quantity, within the corporate limits of the city, or to sell or offer for sale, such fireworks within an area extending five thousand (5000) feet beyond the city limits, except those within such five thousand (5000) foot area beyond such city limits which are held to be a state and federally licensed importer or distributor established within such five thousand (5000) foot area prior to the enactment of this section for storage or for distribution to or sale to governmental agencies or federal or state licensees or permittees.

Section 3301.1.3.2 Instigating or Aiding a Minor to Violate the Ordinance Prohibiting Fireworks. Add Section:

No person shall furnish money or a thing of value to a minor for the purchase of fireworks or encourage, act in conjunction with or in any manner instigate or aid a minor in the act of having, keeping, storing, selling, offering for sale, giving away, using, transporting, or manufacturing fireworks within or five thousand (5000) feet beyond the corporate limits of the city. This shall be an offense regardless of whether the minor has been found guilty of the offense. The commission of the offense by a minor or any property under the control or owned by the parent, or guardian of said minor shall be prima facie proof that the relation or guardian was instigating or aiding the minor.

Section 3301.1.3.3 Summons to be issued for Violation of Fireworks Ordinance. Add Section:

A summons or notice to appear in answer to a charge of illegal possession or use of fireworks in violation of this article specifying the location of such violation, the date and time of such violation, and the name and address of the offender, may be issued by any Police Officer, Arson Investigator, Fire Inspector or by any Firemen who has been assigned to citation duties by the Fire Chief.

Section 3301.2.5 Congested Areas. Add Section:

When explosives or explosive ingredients are stored, handled, used or transported or processed in congested mercantile, industrial, commercial or other heavily populated areas, the explosive permit must be countersigned by the City Manager, the Fire Chief, and the Chief of Police or by a person authorized to act for each. No explosive permit for use in these areas shall be valid unless it bears the signature of each of the above-named officials.

Section 3301.2.6 Prohibited Explosives. Add Section:

It shall be unlawful for any person to have, keep, store, sell, offer for sale, give away, use, transport or manufacture any of the explosives listed in Section 3301.3 in any quantity, within the corporate limits of the city, or to store, sell, use or offer for sale such

explosives within five-thousand (5,000) feet beyond the city limits unless authorized by the Fire Chief.

Section 3301.2.7 Applicant Qualifications. Add Section:

Only those persons who have proven to the Fire Chief by examination or actual test or by check references of three persons not related to the applicant, or by all those means, that they are qualified to manufacture, store, handle, use, transport, or possess explosives and ingredients and who have proved to the satisfaction of the Fire Chief that they have read, or have had read to them, and know the provisions of this article shall be given an explosives permit. Applicants who fail the written examination may repeat the exam after thirty (30) days. Those failing the test the second time may retake the test for the third time after ninety (90) days. Persons failing the test three (3) times will not be permitted to repeat test for one (1) year from date of last test taken.

Section 3301.2.8 Inspection Required. Add Section:

Upon receipt of an application for a permit, special permit or certificate of fitness as required by this chapter, the Fire Chief shall make or cause to be made an investigation to determine if all conditions of this article applying to the permit specified are fulfilled, and if the Fire Chief shall find that the things required to be set forth and are true and that the requirements of this article are fulfilled, the permit or certificate herein mentioned shall be issued. No permit or certificate shall be issued in the time of war or riot to any person other than a citizen of the United States.

Section 3301.2.9 Purpose Specified. Add Section:

Explosive permit shall specify the purpose for which the explosives or other ingredients are to be manufactured, stored, handled, transported or possessed, and the maximum amount that will be allowed.

Section 3301.2.10 Application for Permit. Add Section:

1. All applications for permits shall be in writing. Every person applying for an explosives permit must appear in person before the Fire Chief or his authorized representative. Government departments, firms, corporations, partnerships, contractors, etc. may obtain explosive permits through a person authorized to act for or assume legal responsibility for them.
2. The Fire Chief shall not issue an explosive permit if he receives a written objection from the City Manager, or Chief of Police, or from persons authorized to act for them.
3. The Arson Division shall do a computer investigation check based on the information on the application.
4. Every person applying for a permit must be able to read and write the English language.

5. The Chief or his designate may request written comments on each permit application from the various affected City of San Antonio utilities or franchise holders. When in the opinion of the Chief such utility or franchise holder has valid objection to the issuance of a permit, no permit shall be approved until such objection has been resolved to the satisfaction of the Chief or his designate.
6. When in the opinion of the Chief or his designate there is a substantial danger to life, health, or property in the immediate area exposed to the blasting for which a permit is being requested, said permit may be denied.

Section 3301.2.11 Records. Add Section:

Permits shall be numbered consecutively on an annual basis and the Fire Chief shall keep an accurate and complete record of all explosives permits issued.

Section 3301.2.12 Permit Limitations. Add Section:

1. Explosives Handling Permits shall be issued for a period, not to exceed one (1) year from date of issuance, deemed advisable by the Fire Chief.
2. No employee of a government department, firm, partnership or individual shall be issued an explosives handlers permit unless his employer first obtains an explosives site permit.
3. An employee's explosive permit shall become void if his employer's explosive permit is revoked or expires without being renewed.
4. Permits shall be unassignable and nontransferable, and no person shall operate under, or have the benefit of, another person's permit.
5. The Fire Chief shall revoke an explosive permit for violation of any of the provisions of this chapter until the offender appears before the appeal board.
6. The death of any permittee, shall, ipso facto, immediately render the permit void, and the personal representative or heirs of the decedent must apply for a permit to cover remaining explosives or ingredients or uncompleted operations requiring a permit. If a permittee is discharged from his employment, his permit shall become immediately void and shall be delivered to his employer, who must deface it by writing across the face thereof the word "Void", together with a notation of the date and reason for the voidance, and thereafter mail or deliver it to the Fire Chief, and the employer must at once take possession and charge of any explosives or ingredients for which the permittee was accountable. In the event of the dissolution or transfer of the business of any permittee, the successor in interest of the permittee shall immediately apply for a permit to cover any explosives, ingredients or operations relating to same.
7. In the event of the bankruptcy of a permittee, the trustee or receiver of his bankrupt estate shall immediately apply for a permit to cover any remaining explosives, ingredients, or operations relating thereto. The permit shall not pass with any forced sale or other forced transfer of

explosives, ingredients, or operations covered by it, and the transferee must immediately apply for a permit to cover same.

8. Any permit that becomes void during the period for which it was issued shall be returned within ten days to the Fire Chief and it shall be accompanied with all Photostat copies that have been made.
9. The Fire Chief shall be notified of the loss or destruction of any valid permit.
10. In case ingredients in the hands of a permittee shall, in the opinion and judgment of the Fire Chief, become dangerous or hazardous and should be removed from the above-named list, the Fire Chief shall notify such permittee that such ingredients have been removed from such list, whereupon the permittee must, within ten days, remove the ingredients to a safe location, provided however, that in the case of a serious hazard, a shorter time for removal may be designated by the Fire Chief.

Section 3301.2.13 Blasting Site Permits. Add Section:

1. Blasting permits shall be issued by the Fire Chief as provided for herein and shall set forth the name of the contractor or other responsible party applying therefore, the name of the property owner upon whose property the blasting is to be done and the location of the property. Such permit shall be valid and operative for a period not to exceed ninety (90) days from date issued, except for quarry operation permits, which shall be issued for a period not to exceed one year.
2. The Fire Chief shall not issue a permit for quantities to exceed one hundred pounds of high or low explosives, five hundred electric blasting caps, or twenty-five (25) pounds of black powder of any kind, without the approval of the Appeal Board.
3. The Fire Chief may limit the quantity of explosives or blasting agents to be permitted at any location.
4. The Fire Chief may refuse to issue an explosives permit to any person for reasons set forth herein. He may also defer the issuance of an explosives permit to make such investigation as he deems necessary.

Section 3301.2.3.1 Appeals to the Board of Appeals Concerning Explosives Permits. Add Section:

Any person who has been refused issuance of an explosive permit or who has had his explosive permit revoked may appeal such action by notifying the chairman of the Board of Appeals in writing within ten (10) days after he has received notice of such refusal or revocation.

Section 3307.1.1 Conditions of Approval. Add Section:

The Chief, or his designate, shall set other conditions to the approval of a permit application that are necessary, in his opinion, to adequately protect the public health and

safety. These conditions may include, but are not limited to, reduced allowable particle velocities, additional monitoring, increased insurance protection, hours of operation, type and amount of explosives used and engineered blasting plans.

Section 3307.4 Restricted hours. Amend to read as follows:

Except by written approval by the Fire Chief, no blasting operations shall be conducted on Saturdays, Sundays or legal holidays or between the hours of 5:00 p.m. and 8:00 a.m.

Section 3307.14.1 Removal of Equipment. Add Section:

All exposed blasting cap lead wires in the ground from previous shots shall be removed at the end of the workday.

Section 3307.16 Particle Velocity Permitted. Add Section:

A particle velocity of one and seven tenths (1.7) inches per second will be the maximum velocity allowed by permit. One and seven-tenths (1.7) inches per second particle velocity or above will require the immediate suspension of blasting and procedures corrected to reduce the excess velocity. The Chief or his designate may grant or require, variances from this limit as required to adequately protect the public safety.

Section 3307.17 Blast Monitor Required. Add Section:

A blast monitor, such as a seismic blast-recording machine, is required in connection with all permits issued inside the city limits of San Antonio, unless specifically exempted by the Chief or his designate. Recordings shall comply with Bureau of Mines Standards for safety and property protection.

Section 3307.18 Trunk Wire Requirements. Add Section:

Only blasting trunk wire of eighteen (18) gauge minimum will be used while conducting blasting operations by permits.

Section 3307.19 Approved Equipment Required. Add Section:

Only approved blasting machines may be used. Car, truck, motorcycle, boat batteries, or power lines are prohibited as being unsafe.

Section 3307.20 Detonating Cord. Add Section:

Detonating cord may be used only when approved on the blasting permit. Unauthorized use of detonating cord shall result in the suspension of the blasting permit and/or blaster's license.

Section 3308.1.1 Public Displays - Duties of the Operator. Add Section:

The operator of a public fireworks display shall comply with the following:

1. The minimum radius of the secured area surrounding a fireworks display (the minimum safe distance between the mortar site and spectators) shall be seventy (70) feet per shell inch of the largest shell to be fired. Spectators shall be restrained using a barrier approved by the chief. Security officers shall be provided and assigned as approved by the chief.
2. Fire projectiles:
  - a. So that the range of aerial display shall be not more than two hundred (200) feet and the fireworks shall be discharged vertically from steel or other approved tubes; or
  - b. So that they will impact in a body of water;
3. Maintain an unobstructed spatial separation of:
  - a. six hundred (600) feet between the ignition point and a school;
  - b. two hundred (200) feet between the ignition point and a highway, railroad, or building other than a school; and
  - c. fifty (50) feet between the ignition point and an overhead obstruction;
4. Discontinue the display if the wind carries fireworks debris to adjoining property; and
5. Immediately after display:
  - a. Search the display site for unfired fireworks or fireworks debris; and
  - b. Safely dispose of any unfired fireworks or fireworks debris in the manner prescribed by the Fire Marshal.

Section 3308.1.1 Fireworks Permits. Add Section:

Possession and use of fireworks and pyrotechnics shall be allowed in connection with a fireworks display in celebration of a recognized holiday, under the following conditions:

1. The site of the display has been previously approved by the Fire Chief or his designated representative;
2. The display is within ten (10) days of a federal or city holiday, and is in connection with a public holiday celebration;
  - a. Article 9205, section 10, V.T.C.S. has been complied with;

3. The display is to be held under the supervision of the Fire Chief or his representative. In addition to other violations contained in this chapter, it shall be unlawful for any person in conducting such a display, or storing or moving explosives preparatory to such an event, to fail to adhere to all specifications and directions of the Fire Department representative supervising such event.

Section 3308.1.2 Materials Not to be Stored in City. Add Section:

The material to be used for a public display authorized by this division shall not be stored within the city limits, but shall be brought in on the day of the public display and then shall be taken immediately to the place of display for further handling and storage.

Section 3308.1.3 Limitation on Time and Number of Displays. Add Section:

No display authorized by this division shall be commenced prior to the hour of 1:00 P.M. nor later than 10:00 P.M.; however, fireworks displays may be commenced between the hours of 10:00 P.M. on December 31 of any year and between the hours of midnight and 1:00 A.M. on January 1 of any year if such displays comply with all other requirements of this code. Any display authorized by this division shall be completed within one (1) hour after the time the display is commenced, and no permit shall authorize more than two (2) displays in each twenty-four (24) hours.

Section 3308.1.4 Fire Inspectors to be Present. Add Section:

For each public display of fireworks under this division, not less than two (2) Fire Prevention officers of the city shall be in attendance during the display. If more than two (2) fire inspectors are required or the inspector's work longer than two (2) hours, the additional expense shall be borne by the applicant for the permit at the rate per man-hour as provided for in Section 11-16(k) of the city code. The Fire Chief may require standby firefighting unit at the expense of the applicant.

Section 3308.2.3 Procedure for Applying; Permit for Fireworks Display. Add Section:

1. A permit applicant shall, at least ten (10) days before using fireworks, file with the Fire Marshal a completed permit application showing the:
  - a. Pyrotechnics:
    1. Business address;
    2. Proof of legal competency; and
    3. Record of previous experience with fireworks;
  - b. Address of the proposed display;
  - c. Amount, type, and class of fireworks to be used;
  - d. Address of the company supplying the fireworks;
  - e. Date of proposed display;
  - f. Starting and ending times of the proposed display; and
  - g. Diagram of the proposed display grounds, detailing:

1. Firing points
  2. Location of buildings and highways on or adjoining the grounds;
  3. Spectator restraining lines; and
  4. Overhead obstructions;
- h. Completed permit application to the Fire Marshal, including the surety bond or insurance coverage required by State Law.
1. The Fire Marshal shall, within five (5) days from date of the completion of the requirements in Subsection (l) of this section, approve or refuse to approve the permit. If the Fire Marshal refuses to approve issuance, he shall immediately send to the applicant by certified mail, return receipt requested, a written statement explaining the basis of the refusal.
  2. The permittee shall notify in writing at least forty-eight (48) hours prior to consideration by City Council, all residents within one thousand (1000) feet of a proposed fireworks site.

Section 3308.2.4 Refusal to Issue. Add Section:

The Fire Marshal may refuse to approve issuance of a permit if the applicant:

1. Intentionally makes a false statement as to a material matter in the permit application;
2. Is a fugitive from justice;
3. Is under a felony indictment;
4. Has been finally convicted of a felony offense within that five year period immediately preceding the filing of the application;
5. Has been finally convicted of a misdemeanor violation of an explosives law or regulation within the two (2) year period immediately preceding filing of the application;
6. Held a permit issued under this article, which permit was revoked within that one (1) year period immediately preceding the filing of the application;
7. Has been adjudicated a mental defective; is an unlawful user of, or addicted to, a controlled substance or dangerous drug; or suffers from any other handicap, infirmity, defect, or condition which might reasonably diminish his competency to safely conduct the proposed activity or would create an unreasonable risk of injury to life or property in the performance of the proposed activity.

Section 3308.2.5 Revocation of Permit. Add Section:

Section 3308.2.5.1 General.

1. The Fire Marshal shall revoke a permit if the permittee:
  - a. Intentionally makes a false statement as to a material matter in the permit application;
  - b. Knowingly allows another to use his permit;
  - c. Violates a term or condition of the permit;
  - d. Fails within the applicable time period to comply with an order or notice on him under this article; or
  - e. Fails to discharge a duty imposed on him by this Section.

The Fire Marshal shall, within five (5) days from the date of revocation, send to the permittee by certified mail, return receipt requested, a written statement explaining the basis of the revocation.

Section 3308.2.6 Appeal of Permit Refusal or Revocation. Add Section:

If the Fire Marshal refuses to approve the issuance of a permit issued under this article, that action is final unless the applicant or permittee, within ten (10) days after receiving a written notice of the action, files a written appeal with the chairman of the Board of Appeals.

Section 3308.2.7 Bond. Amend to read as follows:

The permittee shall furnish a bond or certificate of insurance in the minimum amount of one million dollars (\$1,000,000). The Fire Chief may increase the amount of the required bond or insurance when he deems it advisable.

Section 3308.2.8 Duties of Permittee. Add Section:

A permittee shall:

1. Upon request, make his permit available for inspection to a member of the Fire Department, Police Officer, or any other authorized person;
2. Notify the Fire Marshal of the loss or destruction of an unexpired permit, notice to be given immediately upon discovery of the loss or destruction;
3. Secure a replacement permit for that lost or destroyed;
4. Comply immediately with the Fire Marshal's order to dispose of fireworks which become hazardous during the performance of this permitted activity; and
5. Return his permit to the Fire Marshal immediately upon its expiration, together with a statement detailing the cause of expiration and the disposition of unused fireworks.

Section 3308.12 Inside Use of Pyrotechnics. Add Section:

The use of pyrotechnics inside of a building shall be unlawful unless authorized and approved in writing by the Fire Chief prior to the issuance of a permit. The Chief may require the owner or person in possession or control of the building or premises to provide without charge to the department a technical opinion and report stating whether harmful smoke would be produced and pose a health hazard to the public. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory, or fire safety specialty organization acceptable to the Chief and the owner. A permit for the use of pyrotechnics shall be issued when approved by the Fire Chief. Application for a permit shall be made in writing ten (10) days prior to the use of pyrotechnics.

Section 3401.4.1 Permit Required Prior to Installation. Add Section:

Permit to install tanks shall be applied for to the Fire Department before installation is begun. Application for permit shall be accompanied by a diagram or drawing on scale showing the proposed location of the tank with reference to nearby buildings, streets, and waterways and showing in detail all proposed pipelines, pumps and other improvements. Applications for installation over the Edward's Aquifer shall be reviewed by the Aquifer Study Division of the San Antonio Water System prior to submittal to the Fire Department for a permit.

Section 3403.6.12 Pressurized Piping. Add Section:

Where a pressurized (remote pumped) piping system is connected to a tank, the piping system shall have an approved leak detection device installed in the system to monitor for leaks in the piping.

Section 3404.2.11.5.2 Leak Detection. Add to the end of section:

The following are approved methods of leak detection:

1. Manual tank gauging (for tanks less than 1,000 gallons)
2. Automatic tank gauging and inventory control
3. Vapor monitoring
4. Groundwater monitoring
5. Interstitial Monitoring of double-wall systems
6. Monitoring of systems with secondary containment barriers
7. Statistical Inventory Reconciliation (SIR) ---- (for tanks and lines)  
NOTE: Documentation of performance claims for the SIR method must show the system's ability to detect releases of 0.1 g.p.h. with 95% of more *probability of detection* and 5% or less *probability of false alarm*

Section 3404.2.12.2.1 New Tanks. Add first paragraph to read as follows:

Testing Requirements for Underground Storage Tanks. Installation Test - For new storage facilities, after installation of the underground tank into the tank excavation and before being completely covered, each tank shall be tested for tightness hydrostatically or pneumatically at not less than 3 pounds per square inch or not more than 5 pounds per square inch for 30 minutes. Pneumatic testing shall not be used on a tank containing flammable or combustible liquids or vapors.

Section 3404.2.12.2.2 Existing Tanks and Piping. Amend first sentence to read as follows:

Existing underground storage tanks and piping shall be tested for leakage every five (5) years at the owner's or operator's expense or when the Chief has reasonable cause to believe a leak exists. A log or record shall be kept, and the log shall be made available for inspection by the Fire Chief when requested. Notice of test shall be provided in writing to the Fire Chief by the owner or operator.

Section 3404.2.12.2.3 Alternate Test Method. Add Section:

The Fire Chief may require that the standpipe method of testing for tank leaks be utilized if in his opinion the air pressured tests would be unlikely to detect a leak, cause damage to tank or cause expulsion of contained liquids.

Chapter 38 of the International Fire Code is hereby deleted and replaced with the following:

## Chapter 38 LIQUIFIED PETROLEUM GASES

### Section 3801 SCOPE

This article shall apply to the storage, handling and transportation of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses.

### Section 3802 PERMITS

For a permit to install or maintain an LP-Gas container, see Section 105.6.28.

### Section 3803 INSTALLATION

All LP-Gas equipment shall be installed in accordance with the provisions of the safety rules of the Liquefied Petroleum Gas Division, of the Railroad Commission of Texas, as revised February 1998, except as otherwise provided in this article.

## Section 3804 LPG TRANSPORTATION - VEHICLE INSPECTIONS

The Fire Marshal may stop and inspect an LP Gas transport vehicle which is within the corporate city limits if in the opinion of the Fire Marshal such action is necessary for the preservation of the health, safety and welfare.

## Section 3805 PROTECTION OF CONTAINERS FROM VEHICLES

All LP-Gas containers located in areas such as alleys, driveways or parking lots where they may be damaged by vehicles shall be protected as approved by the chief.

## Section 3806 LPG DEMONSTRATION USE: INCLUDING LPG FUELED PORTABLE COOKING APPROVAL REQUIRED

1. Except as provided in Subsection (c) of this section, no person may use LPG for demonstration purposes without first obtaining approval for that activity from the Fire Marshal.
2. Where permission for LPG demonstration is granted:
  - a. Portable LP-gas containers are allowed to be used temporarily for demonstrations and public exhibitions. Such containers shall not be used for residential or commercial food preparation. Such containers shall not exceed a 12-pound water capacity [nominal five (5) pound LP-gas capacity]. When more than one such container is present in the same room, each container shall be separated from other containers by a distance of not less than twenty (20) feet.
  - b. The operator of the premises shall remove all LPG containers from the premises at the close of each day.
3. Subsection (a) of this section does not apply to the use of approved self-contained LP gas fueled devices outside a structure on premises where a private dwelling is located.
4. LPG demonstration use or portable cooking use approval requires the following information in writing to the Fire Marshal:
  - a. Location of proposed demonstration
  - b. Date of proposed use
  - c. Length of time of proposed use
  - d. Name, address, and telephone number of applicant
  - e. Name of person in charge at demonstration or cooking activity
  - f. Description of demonstration procedures or cooking procedures
5. Portable Cooking Equipment. No person may use LP-Gas to fire portable cooking equipment inside a building.
6. The operator of activities involving the handling or use of LP-Gas shall:
  - a. Take precautions to prevent spillage or leakage;
  - b. Use hose, pipe, and connections, of approved type only;
  - c. Keep control equipment access closed and locked except when the equipment is in use; and

- d. If used, supply artificial lighting of approved type only.

#### Section 3807 PROHIBITED AREAS FOR TRANSFER OF LP-GAS

Transferring LP-gas on highways, streets, alleys, or private property is prohibited except at approved bulk storage locations or where such containers are on machinery being used for construction.

#### Section 3808 EDUCATIONAL AND INSTITUTIONAL USES

In occupancies used for educational and institutional purposes, portable LP-gas containers are allowed to be used for research and experimentation. Such containers shall not be used in classrooms. Such containers shall not exceed a fifty (50) pound water capacity [nominal twenty (20) pound LP-gas capacity] in occupancies used for educational purposes and shall not exceed a twelve (12) pound water capacity [nominal five (5) pound LP-gas capacity] in occupancies used for institutional purposes. When more than one such container is present in the same room, each container shall be separated from other containers by a distance of not less than twenty (20) feet.

#### Chapter 45 Referenced Standards

Delete NFPA 10- 98 and replace with NFPA 10-02

Delete NFPA 13-99 and replace with NFPA 13-02

Delete NFPA 13D-99 and replace with NFPA 13D-02

Delete NFPA 13R-99 and replace with NFPA 13R-02

Delete NFPA 14-00 and replace with NFPA 14-03

Delete NFPA 17-98 and replace with NFPA 17-02

Delete NFPA 17A-98 and replace with NFPA 17A-02

Delete NFPA 20-99 and replace with NFPA 20-03

Delete NFPA 24-95 and replace with NFPA 24-02

Delete NFPA 25-98 and replace with NFPA 25-02

Delete NFPA 72-99 and replace with NFPA 72-02

Add NFPA 230-03 Chapter 12 and Annex B B1-B7

## Chapter 46 Automobile wrecking yards. Add Chapter

### Section 4601 Automobile dismantling and storage. Add Section

1. Nothing but automobile dismantling shall be carried on in any automobile wrecking yard or establishment, and if repairs are made to any automobile or other self-propelled vehicle, such repairs shall be made in a building meeting all the requirements of a public automobile garage or automobile repair shop, and in keeping with the regulations for such occupancy.
2. All gasoline shall be drained from the gasoline reservoirs of all automobiles, or other self-propelled vehicles stored or kept on the premises, unless such automobiles or vehicles are in such state of repair as to enable them to be removed from the premises under their own power.

## Chapter 47 High rise buildings. Add Chapter:

### Section 4701 General

All buildings having floors used for human occupancy located more than seventy-five (75) feet above the lowest level of Fire Department access shall be provided or equipped as required by amended Section 403 of the International Building Code limited to the following:

1. Automatic Sprinkler System
2. Smoke Detection Systems
3. Alarm and Communication Systems
  - a. Voice Alarm System & Manual Alarm System
  - b. Public Address System
  - c. Fire Department Communication System
  - d. Central Control System
4. Elevator capture provisions
5. Standby Power Light & Emergency Systems
6. Smoke Control

### Section 4702 Emergency plan - required. Add Section

The operator of a building seventy-five (75) feet or more in height shall submit to the Fire Marshal an emergency plan draft and diagram showing:

1. The means of egress, as defined in the Building Code, from each floor;
2. Floors through which, under emergency conditions, entry to safe floor areas may be made from the stairways; and
3. Where present the location of:
  - a. The emergency power fire alarm system;
  - b. The fire extinguishing system;
  - c. The smoke removal system;

- d. The public address system;
- e. The two-way communication system;
- f. The fire command or central control system;
- g. The heat, smoke and flame detectors; and
- h. Other emergency indicating systems.

#### Section 4703 Fire evacuation floor plan. Add Section

1. The operator of a building seventy-five (75) feet or more in height used for human occupancy shall provide a fire evacuation floor plan on each floor showing the path of egress in emergency situations. Such plans shall be posted at strategic and highly visible locations as directed by the Fire Marshal.
2. The floor plan minimum size shall be eight and one-half (8 ½) inches by eleven (11) inches. Larger sizes to be standard eight and one-half (8 ½) inches by fourteen (14) inches, eleven (11) inches by seventeen (17) inches, fourteen (14) inches by sixteen (16) inches and fourteen (14) inches by twenty-four (24) inches.
3. Minimum size printing shall be one fourth (1/4) inch, or
4. A substitute plan acceptable to the Fire Marshal.
5. Posted height of plan shall be approximately five feet.
6. The plan shall be approved by the Fire Marshal.
7. The plan shall be maintained in an approved manner.

#### Chapter 48 Institutional Occupancies. Add Chapter:

##### Section 4801 General

The requirements of the International Building Code and the International Fire Code regarding hospitals and nursing homes shall be supplemental to the State of Texas Certification requirements as contained in the National Fire Protection Association Standard No. 101 - Life Safety Code, 1997 edition or latest edition enforced by Texas Department of Health if more current.

#### Chapter 49 Protection of Outdoor Storage

##### Section 4901 General

Section 4901.1 The hazards of exposure to outdoor storage from ignition sources and exposing fires and the infinite variety of conditions under which such exposures can occur render impossible the formulation of any single table, formula, or set of rules that can cover all conditions adequately.

Section 4901.2 In general, the provision of automatic fire protection is impractical for outdoor storage. As a result, the following is required:

1. Control of potential ignition sources, such as from exposing buildings, transformers, yard equipment, refuse burners, overhead power lines, and vandals
2. Elimination of adverse factors such as trash accumulations, weeds, and brush
3. Provision of favorable physical conditions, such as limited pile sizes, low storage heights, wide aisles, and possible use of fire-retardant covers (e.g., tarpaulins)
4. Rapid and effective application of manual fire-fighting efforts by the provision of fire alarms, strategically located hydrants, and adequate hose houses or hose reels

Section 4901.3 Outdoor storage is acceptable for materials that are as follows:

1. Of low fire hazard, not requiring protection even if located indoors
2. Of sufficiently low value that a potential loss would not justify the utilization of building space
3. Of such severe fire hazard that indoor protection is impractical when balanced against potential loss
4. Of large volume and bulk, making it impractical to construct and protect a building to house the storage

Section 4901.5 Where materials that normally would be stored in buildings are stored outdoors in temporary emergencies, special precautions shall be taken for their safeguard and that they be moved to a storage warehouse as soon as possible.

#### Section 4902 Responsibilities of Management

Section 4902.1 It is the responsibility of management to properly consider the hazards of the various materials handled. Protection requirements and storage arrangements vary with the combustibility of the materials. The care, cleanliness, and maintenance exercised by management determine to a large extent the relative fire safety in the storage area.

#### Section 4903 Site

Section 4903.1 In selecting a site for outdoor storage, the following requirements shall be followed:

1. Adequate public water system with hydrants suitably located for protection of the storage.
2. Adequate all-weather roads for fire department apparatus response.
3. Sufficient clear space from buildings or from other combustible storage that constitutes an exposure hazard.
4. Absence of flood hazards.
5. Adequate clearance space between storage piles and any highways, bridges, railroads, and woodlands.
6. Topography as level as possible to provide storage stability.

7. Adequate clearance between the storage of combustible materials and pipelines, pipe bridges, cable trays and electrical transmission lines.

Section 4903.2 The entire site shall be surrounded by a fence or other suitable means to prevent access of unauthorized persons. An adequate number of gates shall be provided in the surrounding fence or other barriers to permit ready access of fire apparatus.

#### Section 4904 Material Piling

Section 4904.1 Materials shall be stored in unit piles as low in height and small in area as is consistent with good practice for the materials stored. The maximum height shall be determined by the stability of pile, effective reach of hose streams, combustibility of the commodity, and ease of pile breakdown under fire or mop-up conditions

Section 4904.2 Aisles shall be maintained between individual piles, between piles and buildings, and between piles and the boundary line of the storage site. Sufficient driveways having the width of at least 20 ft shall be provided to allow the travel of fire equipment to all portions of the storage area. Aisles shall be at least twice the pile height to reduce the spread of fire from pile to pile and to allow ready access for fire fighting, emergency removal of material, or salvage purposes.

Section 4904.3 As the commodity class increases in combustibility or where storage could be ignited easily from radiation, wider aisles shall be provided. Smaller unit piles could be an alternative to wider aisles if yard space is limited.

Section 4904.4 Boundary posts with signs designating piling limits shall be provided to indicate yard area, roadway, and aisle limits.

#### Section 4905 Buildings and Other Structures

Section 4905.1 Yard storage, particularly storage of commodities in the higher heat release category, shall have as much separation as is practical from important buildings and structures, but not less than that offered by NFPA 80A, *Recommended Practice for Protection of Buildings from Exterior Fire Exposures*.

Section 4905.2 As guidance in using NFPA 80A to establish clear spaces, the following classification of severity with commodity classes of this standard shall be used on the basis of 100 percent openings representing yard storage:

1. Light severity ---- Commodity Class I
2. Moderate severity ---- Commodity Class II
3. Interpolate between moderate and severe severity for Commodity Class III
4. Severe severity ---- Commodity Class IV and Class A plastics

The guidelines of Section 4905.2 apply to the equivalent commodity classes of this standard. The severity of the exposing building or structure also shall be a consideration where establishing a clear space.

#### Section 4906 Yard Maintenance and Operations

Section 4906.1 The entire storage site shall be kept free from accumulation of unnecessary combustible materials. Vegetation shall be kept cut low. Procedures shall be provided for weed control and the periodic cleanup of the yard area.

Section 4906.2 No heating equipment shall be located or used within the storage area. Salamanders, braziers, portable heaters, and other open fires shall not be used.

Section 4906.3 Smoking shall be prohibited, except in locations prominently designated as smoking areas. "No Smoking" signs shall be posted in prohibited areas.

Section 4906.4 Welding and cutting operations shall be prohibited in the storage area.

Section 4906.5 Tarpaulins used for protection of storage against the weather shall be of fire-retardant fabric.

Section 4906.6 Motorized vehicles using gasoline, diesel fuel, or liquefied petroleum gas as fuel shall be garaged in a separate, detached building.

#### Section 4907 Fire Protection

Section 4907.1 Fire extinguishers of an appropriate type shall be placed at well-marked strategic points throughout the storage area so that one or more portable fire extinguisher units can quickly be made available for use at any point. Where the climate is such that there is a danger for freezing, suitable extinguishers for freezing temperatures shall be used.

#### Section 4908 Storage of Idle Pallets

Section 4908.1 General. Idle pallets shall be stored outside or in a separate building designed for pallet storage, unless permitted in Section 4908.2.

Section 4908.2 Indoor Storage. Idle pallets shall be permitted to be stored in a building used for other storage or other purpose, if the building is sprinklered in accordance with NFPA 13, *Standard for the Installation of Sprinkler Systems*.

Section 4908.3 Outdoor Storage. Idle pallets stored outside shall be stored in accordance with Table 4908.3 (a) and Table 4908.3 (b).

Table 4908.3 (a) Required Clearance Between Outside Pallet Storage and Other Yard Storage.

Pile Size	<u>Minimum Distance</u>	
	m	ft
Under 50 pallets	6.0	20
50 – 200 pallets	9.1	30
Over 200 pallets	15.2	50

Table 4908.3 (b) Required Clearance Between Outside Pallet Storage and Building

Wall Construction		<u>Minimum Distance of Wall from Storage</u>					
		<u>Under 50 Pallets</u>		<u>50 to 200 Pallets</u>		<u>Over 200 Pallets</u>	
<u>Wall Type</u>	<u>Openings</u>	m	ft	m	ft	m	ft
Masonry	None	0	0	0	0	4.6	15
	Wired glass with outside sprinklers and 1-hour doors	0	0	3.0	10	6.1	20
	Wired or plain glass with outside sprinklers and ¾-hour doors	3.0	10	6.1	20	9.1	30
Wood or metal with outside sprinklers		3.0	10	6.1	20	9.1	30
Wood, metal, or other		6.1	20	9.1	30	15.2	50

## APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS

Section B104.2. Area Separation. Add Exception:

Where building additions are protected with an approved automatic sprinkler system and separated from the existing building by an approved Fire Barrier with protected openings as per the International Building Code, fire areas may be considered as separate.

Section B105.2 EXCEPTION. Delete and replace with the following:

For this exception the following definitions apply:

1. actual fire flow: results of actual flow test conducted within twelve (12) months prior to submittal of plans
2. expected fire flow: hypothetical average fire flow expected in most cases from a given size of main
3. required fire flow: fire flow required by UFC Table III-A as amended

Fully sprinkled buildings shall qualify for a reduction in required fire flow according to the table below, except non-sprinklered non-combustible open parking garages shall have a maximum fire flow as determined by the Chief. In all cases where the required automatic sprinkler demand is not available as a minimum actual fire flow, the building permit will not be issued.

Note: In most cases, the fire flow minimum shall be the greater of the approved sprinkler demand (includes hose stream), standpipe demand, the fire flow required by this chart, or the combination thereof as determined by Chapter 5. See Footnote 1.

Approved sprinkler demand is the sprinkler demand as defined in NFPA or other nationally recognized standards, and includes the hose stream demand. When multiple sprinkler systems are in one building the approved sprinkler demand shall be the greatest single sprinkler demand (including hose stream demand).

Group R, Division 1 and Group R Division 2 occupancies constructed using an NFPA-13R residential sprinkler system shall be entitled to the same reduction as a fully sprinkled building.

<b><u>Construction Type</u></b>	<b><u>Occupancy Type</u></b>	<b><u>% Reduction</u></b>	<b><u>Minimum (gpm)</u></b>	<b><u>Maximum (gpm)</u></b>
All	A	75	1,500	2,000
VB, IIIB, IIB	B	50	1,500	2,200
All Others	B	50	1,500	2,000
All	E	75	1,500	2,000
VB, IIIB, IIB	F	50	1,500	2,200
All Others	F	50	1,500	2,000
All	H-1		1,500	
All	H-2		1,500	
All	H-3		1,500	
All	H-4		1,500	
All	H-5		1,500	
All	I	75	1,500	2,000
VB, IIIB, IIB	M	50	1,500	2,200
All Others	M	50	1,500	2,000
All	R	50	1,500	2,000
All except VB	S-1 not high piled	50	1,500	2,200

All except VB	S-1 high piled Class I-IV commodities, 2,501-12,000 sq ft.	Greater of Approved Sprinkler Demand (ASD) or 1,500 gpm		
All except VB	S-1 high piled Class I-IV commodities, >12,000 sq ft	Greater of 2,200 gpm or the ASD + 25% (25% additional hose stream limited to 500 gpm		
All except VB	S-1 high piled Class IV commodities, 501-2,500 sq ft.	Greater of 1,500 gpm or the ASD		
All except VB	S-1 high piled Class V commodities, 2,501-6,000 sq ft	Greater of 1,500 gpm or the ASD + 500 gpm		
All except VB	S-1 high piled Class V commodities, >6,000 sq ft	Greater of 2,200 gpm or the ASD + 1,000 gpm		
All except VB	S-1 Aircraft Hangers, Helistops	50	1,500	2,200
All except VB	S-2 repair garage, enclosed parking garage	50	1,500	2,200
IIB	S-2 open parking garage	50	1,500	2,000

Footnote (1)

For projects that are within the original incorporated boundaries of the City of San Antonio as established in November 1938, the chief may assume that under normal conditions the water utilities will provide the following expected flows for the respective main sizes at a 20 psi residual pressure and at fire flow velocities.

<u>Single Fed Main (inches)</u>	<u>Expected Flow (gpm)</u>
6	700
8	1100
12	2500
<u>Double Fed Main (inches)</u>	<u>Expected Flow (gpm)</u>
6	1400
8	2200
12	5000

If the expected flow is less than the required fire flow then the chief shall determine the acceptability of the fire flow available and determine whether or not to allow a building permit to be issued.

If the expected flow is equal to or greater than the required flow then the chief shall allow the building permit to be issued, even if the actual flow is less than the required flow.

Sections 11-41--11-55. Reserved.

#### ARTICLE IV. FIREWORKS.

##### Section 11-56. USE, SHOOT, DISCHARGE, ETC., PROHIBITED.

It shall be unlawful for any person to in any manner use, shoot, discharge, explode, ignite, or display any fireworks within the city, except as provided for in this section. (Code 1959, 26-15)

##### Section 11-57. DISPLAY PERMITS.

- a. Any citizen of the city may give a public fireworks display, provided he secures a permit therefore from the city council as provided in this section. Application therefore shall be addressed to the city council, shall state the name and residence of the applicant, the time and place of the proposed exhibition, a description of the kind, character and quantity of the fireworks intended to be displayed, and shall be accompanied by a cashier's or certified check for the amount of the fireworks permit fee.
- b. The City Council shall pass upon such application and may grant or reject same within its discretion. If same is rejected, the check for the amount of the fireworks permit fee shall be returned to the applicant; if it is granted, such check shall be deposited to the general fund and be retained as a fee for the permit. A certified copy of the city council's action of approval shall constitute the applicant's permit.
- c. Fire inspectors to be present. For each public display of fireworks under this section, not less than two (2) fire prevention inspectors of the city shall be in attendance during the event. If more than two (2) fire inspectors are required or the inspector's work longer than two (2) hours, the additional expense shall be borne by the applicant for the permit at the rate per man-hour as provided for in Section 11-16(k) of the city code.
- d. No such application shall be granted by the city council unless the written recommendation of the Fire Chief and the Fire Marshal have been endorsed thereon.
- e. As used in this section the term "fireworks" shall be given its usual and ordinary meaning, and shall include but not be limited to the following: firecrackers, Roman candles, sparklers, torpedoes, bombs, skyrockets, buzz bombs, atomic wings, aerial flash salutes, and trail blazers. (Code 1950, 41-10; Ord. No. 18384, 1, 10-2-52; Ord. No 53446, 2-26-81)

##### Section 11-58 Amusement Parks Utilizing Permanent Facilities for Repeated Public Fireworks Displays.

- a. Authorization. Notwithstanding the requirements of Sections 11-56, 11-57 and Section 11-40 which amend Section 3308.1.1 and Section 3308.1.3 of the 2003 International Fire Code (as amended or changed from time to time), an operator of an amusement park utilizing a permanent facility for repeated public fireworks displays may give nightly fireworks displays at

such an amusement park provided he complies with the requirements of this Section. As used herein, the term “nightly” shall mean one or more nights during the period covered by the permit. The applicant for a permit under this Section 11.58 may be the owner or operator (whether an individual, partnership or corporation) of the amusement park or any subsidiary or affiliate company.

- b. Applicability. This Section shall apply only if the display facility is constructed for the purpose of multiple or repeat fireworks displays from the same location and the facility is permanent in nature; however, the use of a floating barge on a lake or other body of water wholly located within the park shall be permitted and shall be considered a permanent display facility. Such a permanent display facility must be located on the grounds of a privately owned, commercially operated park open to the general public which contains various exhibits and devices for entertainment and/or educational purposes and which commercially operated park will operate at least five (5) days per week for at least six (6) months out of each calendar year.
- c. Annual Display Permits. Prior to any display of fireworks at such amusement park, the operator must obtain either a single show permit from the City under Section 11.57 or an annual display permit from the City under this Section 11-58. An annual display permit will authorize the permittee to give nightly fireworks displays at the permittee’s amusement park for a period of up to one (1) year from the effective date of issuance. An annual display permit is neither transferable nor assignable.
- d. Application for Annual Display Permit. The initial application shall be addressed to the City Council but shall be first submitted to the Fire Marshal who shall, within seven (7) days after receipt of the application, endorse his written recommendation for approval thereon unless there exists some ground for disapproval under this Section. The City Council shall pass upon such application within three (3) weeks of receipt and shall approve the same unless grounds for disapproval under Section 11.58(f) exist. The application shall be accompanied by a cashier’s or certified check for the amount as provided for in Section 11-16(a) 17 of the city code. The permit shall be issued by the City Clerk upon approval of the application by the City Council. If the application is not approved by the Fire Marshal, the applicant may petition the City Council to pass upon such application and the City Council may grant or reject the same within its discretion. A certified copy of the City Council’s action shall permit the City Clerk to issue the permit, which shall indicate on its face the effective period of the permit.

Annual renewal permits may be approved by the Fire Marshal.

- e. Application; Contents. The application for an annual permit shall be made in writing and submitted to the Fire Marshal at least thirty (30) days before the first use of fireworks under the permit. The application shall contain all the information required by Section 11-40 (amending 3308.2.3 of the 2003 International Fire Code) and in addition shall contain:

(1) Name and permanent business address of applicant with designation of persons responsible for supervision of such displays;

(2) Diagram of display facility demonstrating its permanence and location at amusement park as contemplated by Paragraph (a) of this Section;

(3) Copy of applicant's State Board of Insurance license to conduct repeated fireworks displays;

(4) Copies of all participating pyrotechnicians' state operators license;

(5) Starting and ending times for each proposed display;

(6) Diagram of fire prevention and protection systems and description of fire safety procedures to be used to demonstrate compliance with Paragraphs (n) and (o) of this Section; and

(7) A surety bond or certificate of insurance coverage in an amount deemed adequate by the Fire Marshal for payment of all damages which may be caused either to a person or persons or to property by reason of the permitted storage and arising from acts of the permittee, his agents and employees or subcontractors, provided, however, the amount of such bond or insurance shall not be required to exceed \$1,000,000.00 per occurrence.

- f. Grounds for Disapproval. The Fire Marshal may disapprove any application on the following grounds:

(1) Any of the grounds specified in Section 11-40 (amending 3308.2.4 of the 2003 International Fire Code);

(2) Incompleteness of the application; or

(3) Failure of the applicant to meet the requirements of an amusement park with a permanent display facility as stated in Paragraph (a) of this Section.

If the Fire Marshal does not approve the issuance of the permit, the Fire Marshal shall within ten (10) days of the filing of the application for the permit, send to the applicant by certified mail, return receipt requested, a detailed explanation of the basis for refusal.

g. Special Provisions. The Fire Marshal may prescribe reasonable special provisions attached to the permit intended to minimize nuisance, prevent fires and explosions, and to protect property and public safety.

h. Grounds for Revocation. The Fire Marshal may revoke an annual permit on any of the following grounds:

(1) Any of the grounds specified in Section 11-40 (amending 3308.2.5 of the 2003 International Fire Code);

(2) Failure of the permittee to meet the definition for a permanent facility at an amusement park under Paragraph (a) of this Section;

(3) Failure of the permittee to comply with special provisions prescribed according to Paragraph (g) of this Section;

(4) Failure of the permittee or operator to discharge a duty imposed on him by Paragraphs (k) and (1) of this Section;

(5) Failure of the permittee or operator to comply with the fire prevention and protection provisions of Paragraph (n) or the fire prevention and safety program provisions of this Section; or

(6) Failure of the permittee or operator to construct and maintain the display facility in accordance with Paragraph (m) of this Section. (i) Revocation; Notice. The Fire

Marshal shall, within five (5) days from the date of revocation, send to the permittee by certified mail, return receipt requested, a written Statement explaining the basis of the revocation.

- i. Appeal from Refusal to Issue Annual Permit or From Decision to Revoke. If the Fire Marshal refuses to approve the application for a permit under this Section, or the Fire Marshal makes a decision to revoke a permit issued under this Section, that action is final unless the applicant or permittee, within ten (10) days after receiving a written notice from the Fire Marshal of the action, files a written appeal with the Clerk of the City of San Antonio for review and decision by the San Antonio City Council. The Council shall hear the appeal within twenty (20) days of the filing of the appeal with the City Clerk.
- j. Duties of the Permittee. A permittee shall:
  - (1) Upon request, make his permit available for inspection to a member of the fire department, police officer or other authorized person;
  - (2) Notify the Fire Marshal of the loss or destruction of an unexpired permit or license, notice to be given immediately upon discovery of the loss or destruction;
  - (3) Secure a replacement permit for that lost or destroyed;
  - (4) Comply immediately with the Fire Marshal's order to dispose of fireworks, which become hazardous during the performance of a permitted activity;
  - (5) Return to the Fire Marshal any permit or license of the City upon its expiration and, if no successor permit has been issued or the permit renewed, a detailed statement on the disposition of unused fireworks in the possession of the permittee upon expiration of the permit;
  - (6) Comply with special provisions prescribed according to Paragraph (g) of this Section;
  - (7) Construct and maintain an adequate fire prevention and protection system according to Paragraph (n) of this Section; and
  - (8) Operate an adequate fire prevention and safety program according to Paragraph (o) of this Section.

k. Duties of the Operator. The operator of a public fireworks display pursuant to this Section shall:

(1) Restrain spectators by natural or manmade barriers at least 200 feet from the launch site;

(2) Fire Projectiles:

(a) The range of aerial display shall be not more than 800 feet vertically and the fireworks shall be discharged vertically from steel, fiber or plastic tubes; or

(b) So that the debris will fall in a body of water;

(c) 50 feet between ignition points and an overhead obstruction

(3) Maintain an unobstructed spatial separation of

(a) 600 feet between the ignition point and a school; and

(b) 200 feet between the ignition point and a highway, railroad or building open to the public other than a school;

(4) Discontinue the display if the wind carries dangerous fireworks debris (i.e. live shells or flaming debris) to adjoining property or if there are steady winds of 25 mph or more at the time of the display;

(5) Not use plastic shells unless specifically approved in writing by the Fire Marshal;

(6) Immediately after each display:

(a) Search the display area for unfired fireworks or fireworks debris; and

(b) Safely dispose of unfired fireworks or fireworks debris in a manner approved by the Fire Marshal;

(7) Conduct all display operations under the supervision of a properly licensed State of Texas licensed pyrotechnician; and

(8) Comply with all permit special provisions as prescribed by the Fire Marshal pursuant to Paragraph (g) of this Section.

- l. Permanent Display Facility; Construction Requirements. The permanent display facility shall be designed to assure continuous compliance with Section 11-58(1) hereof and Section 11-40 (amending 3308.2.8 of the 2003 International Fire Code). In addition, the Fire Marshal may prescribe reasonable requirements for construction of such facilities for the purposes of minimizing nuisance, preventing fires and explosions, and protecting property and public safety.
- m. Fire Prevention and Protection System. All permanent display facilities under this Section shall construct and maintain an adequate fire prevention and protection system, which shall include the following:
  - (1) Notwithstanding the requirements of Section 11-40 (amending 3308.1.4 of the 2003 International Fire Code), for each public display, the operator shall have at least one (1) trained and experienced in-house safety officer or in-house firefighter in attendance;
  - (2) For each public display, an operable privately owned fire truck approved by the Fire Marshal shall be maintained on the premises of the park or the park shall at its expense have arranged for such a vehicle to be provided by the City of San Antonio or other Fire Department approved by the Fire Marshal;
  - (3) During any display, air pressurized water hand held extinguishers or other approved portable extinguishers will be available for immediate use; and
  - (4) Any other reasonable fire prevention and protection systems prescribed by the Fire Marshal.
- n. Fire Prevention and Safety Program. All permanent display facilities under this Section shall develop and utilize the following program for fire prevention, fire protection and safety:
  - (1) An annual training program for in-house firefighters, including fire drills at the permanent display facility. Written guidelines for this training program shall be submitted to the Fire Marshal for his approval; and

(2) An annual staff training program for all staff handling the fireworks which provides for procedures to be followed for safety and evacuation in the event of a fire or explosion. Written guidelines for this training program shall be submitted to the Fire Marshal for his approval.

- o. Limitation on Time and Number of Displays. No displays authorized by this Section 11-58 shall be commenced prior to the hour of 9:00 A.M. or later than 11:00 P.M.; provided however, fireworks displays may be commenced after 11:00 P.M. on December 31<sup>st</sup> of any year, but before 1:00 A.M. on the following January 1<sup>st</sup> if such displays comply with all other requirements of the code. Any display authorized under this Section shall be completed within one hour after the time the display is commenced.

The use of Class C special effects pyrotechnics such as smoke effects, flash effects, etc. in shows shall not be subject to any time or number of display restrictions.

- p. Class C. Special Effects Pyrotechnics. Class C special effects pyrotechnics such as smoke effects, flash effects, etc. may be used by the holder of an Annual Display Permit under this Section 11-58 in shows without meeting the requirements of a display under this Section 11-58 or Section 11-57; provided, (i) the use of all such Class C devices complying with all applicable federal rules, laws and regulations for the use and storage of such Class C fireworks and (ii) the application of the Class C fireworks in the show has been approved by the Fire Marshal prior to the fireworks first use in each new show. Approval of an application in one show shall constitute continuing approval of the same application in repeat performances of the same show.

#### Section 11-59. Storage of Fireworks.

- a. Authorization. Notwithstanding the requirements of Section 11-40 which amends 3308.1.2 and 3301.2.6 of the 2003 International Fire Code (as amended or changed from time to time) and subject to the requirements of state law, an operator of an amusement park utilizing permanent facilities for repeated public fireworks displays and holding a valid annual display permit pursuant to Section 11-58 may store fireworks on the amusement park property provided he obtains an annual storage permit from the City Council and provided that the requirements of this Section are met. Annual storage permits issued pursuant to this Section are neither transferable nor assignable. The applicant for a permit under this Section 11-59 may be the owner or operator (whether an individual, partnership or corporation) of the amusement park or any subsidiary or affiliated company.
- b. Application for Storage Permit. The application shall be addressed to the City Council but shall first be submitted to the Building Inspector, Fire Chief, and

Fire Marshal, who shall, within seven (7) days after receipt of the application, endorse their written recommendation for approval thereon unless there exists some ground for disapproval under this Section. The City Council shall pass upon such application within three (3) weeks of its receipt and shall approve the same unless grounds for disapproval exist under Section 11.59(d) hereof. The application shall be accompanied by a cashier's or certified check for the amount as provided for in Section 11-16(a) 18 of the city code. The permit shall be issued by the City Clerk upon approval of the application by the City Council. If the application is not approved by all three City officials, the application may be presented to the City Council, which may then pass upon such application and may grant or reject same within its discretion. A certified copy of the City Council's action of approval shall be all that is required for the City Clerk to issue the permit.

- c. Application; Contents. The application for an annual storage permit shall be addressed to the City Council and shall contain the following information:

(1) Name and permanent business address of the applicant with designation of persons responsible for supervision of such storage;

(2) A surety bond or certificate of insurance coverage in an amount deemed adequate by the Fire Marshal for payment of all damages which may be caused either to a person or persons or to property by reason of the permitted storage and arising from acts of the permittee, his agents and employees or subcontractors, provided, however, the amount of such bond or insurance shall not be required to exceed \$1,000,000.00 per occurrence;

(3) Maximum amount of each general type or class of fireworks to be stored at the park at any one time;

(4) Name and address of the company(s) supplying the fireworks;

(5) Detailed diagram of the proposed storage facility which demonstrates compliance with the construction requirements of Paragraph (h) of this Section; and

Detailed operating procedures of the proposed storage facility which demonstrates compliance with Paragraphs (i) and (k) of this Section.

- d. Grounds for Disapproval. The Fire Marshal may disapprove any application on the following grounds:

- (1) Incompleteness of the application;
- (2) Failure of the applicant to hold a valid annual display permit under Section 11-58;
- (3) Applicant has intentionally made false statements as to a material matter in the permit application;
- (4) Applicant is under indictment for a felony or has been finally convicted of a felony offense within the five (5) year period immediately preceding the date of filing the application;
- (5) Applicant was finally convicted of a misdemeanor violation of an explosives law within the two (2) year period immediately preceding the filing of the application;
- (6) Applicant has held a permit under Section 11-57 or 11-58 or this 11-59 and such permit was revoked within the one year period immediately preceding the filing of the application; or
- (7) The applicant has been adjudicated a mental defective; is an unlawful user of or addicted to a controlled substance or dangerous drug; or suffers from any other handicap, infirmity defect, or condition which might reasonably diminish his competency to safely conduct the proposed activity and/or would create an unreasonable risk of injury to life or property in the performance of the proposed activity.

e. Special Provisions. The Fire Marshal may prescribe reasonable special provisions attached to the permit intended to minimize nuisance, prevent fires and explosions, and to protect property and public safety.

f. Grounds for Revocation. The Fire Marshal may revoke an annual permit on any of the following grounds:

- (1) If the permittee intentionally makes a false statement as to a material matter in the permit application;
- (2) If the permittee knowingly allows another to use his permit;
- (3) If the permittee fails to comply with any special provisions of the permit;

(4) If the permittee fails, within the applicable time period, to comply with an order of the Fire Marshal pursuant to this Section; or

(5) If the permittee fails to comply with any of the requirements of Paragraphs (i), (j), (k), or (l) of this Section.

- g. Revocation; Notice. The Fire Marshal shall, within five (5) days from the date of revocation, send to the permittee by certified mail, return receipt requested, a written statement explaining the basis of the revocation and the effective date which shall allow permittee a reasonable period of time to remove the fireworks from the storage facility.
- h. Appeal from Refusal to Issue Permit; from Decision to Revoke. If the Fire Marshal refuses to approve the issuance of a permit issued under this Section, that action is final unless the applicant or permittee, within ten (10) days after receiving a written notice from the Fire Marshal of the action, files a written appeal with the Clerk of the City of San Antonio for review and determination by the San Antonio City Council shall hear the appeal within twenty (20) days of the filing of the appeal.
- i. Storage Construction Requirements. All fireworks other than those to be used in a display to occur within 12 hours must be stored in magazines meeting the construction requirements of this Paragraph. Each such magazine shall be constructed and maintained to be:

(1) Bullet resistant;

(2) Non-combustible or flame retardant;

(3) Moisture resistant adequate to prevent dampening of fireworks or explosive ingredients;

(4) Adequately ventilated to prevent dampening or heating of fireworks or explosive ingredients with ventilation covered by a screen of a size of mesh adequate to prevent entry of sparks and rodents;

(5) The owner or operator shall construct and maintain magazines using one of the following assemblies:

(a) Masonry units at least eight (8) inches thick, with all hollow spaces filled with concrete, well-tamped sand, or equivalent material;

(b) Reinforced concrete of at least six (6) inches thick;

© Two (2) layered fourteen (14) gauge steel, with layers separated by at least six (6) inches of concrete, well-tamped sand, or equivalent material;

(d) One (1) layered six (6) gauge steel, lined on the interior with wood at least four (4) inches thick;

(e) Two (2) layered six (6) gauge steel, with layers separated by a one-half (1/2) inch air space and lined on the interior with wood at least two (2) inches thick or two (2) layered wood with layers at least two (2) inches thick, and separated by four (4) inches of concrete, well-tamped sand, or equivalent material;

(f) A portable indoor magazine which meets the requirements of all applicable federal rules and regulations for the storage of fireworks used in conjunction with permanent magazines.

(6) Floors of all non-portable magazines shall be securely anchored in place and shall be capable of withstanding the loads imposed;

(7) The magazine shall contain one (1) or more doors, each of which is bullet resistant, weather resistant, fire resistant and of strength equal to the magazines' assembly described in Paragraph (i)(5) and secured with hinges and hasps attached to the door and magazine by means of welding, riveting, or bolting with fastening nuts on the inside of the magazine and equipped with a substantial and adequate means of locking as approved by the Fire Marshal. Locking devices shall be provided with protectors to minimize the possibility of tampering;

(8) The magazine interior shall, to the extent reasonably possible, have a smooth finish with all nails, screws, bolts, and nuts countersunk or blinded;

(9) Heating and lighting sources, if any, within the magazine shall be limited to those artificial sources having an operating temperature less than the ignition temperature of the material stored; and

(10) Unobstructed spacing separation between magazines and occupied buildings, passenger railways, public highways, and other magazines, as required by the Fire Marshal, shall be maintained.

j. Maintenance and Safety. The operator shall comply with the following safety procedures intended to minimize fires and explosions:

(1) The magazine shall be maintained clean, dry, and free of grit, paper, empty packages, rubbish, and other combustible materials;

(2) Magazines shall be limited to the storage of fireworks and detonating materials only. Detonating materials must be stored in separate magazines. No metal tools shall be stored inside the same magazine as any fireworks or detonating materials;

(3) The land surrounding magazines shall be kept clear of brush, dried grass, leaves, trash and debris for a distance of at least fifty (50) feet;

(4) Smoking, matches, open flames, spark producing devices and firearms shall be prohibited inside or within fifty (50) feet of the magazines. Combustible material shall not be stored within fifty (50) feet of magazines;

(5) A written record of all fireworks received and stored shall be maintained at the site and such records shall be made available to the Fire Marshal upon request;

(6) When any fireworks have deteriorated to an extent that they are in an unstable or dangerous condition, then the operator shall immediately notify the Fire Marshal of this fact. When ordered to do so by the Fire Marshal, the operator shall destroy such fireworks or explosive ingredients in a manner approved by the Fire Marshal;

(7) Empty containers of fireworks shall not be used for any purpose. The operator shall destroy all empty containers of

fireworks in a safe manner as prescribed by the Fire Marshal;

(8) The operator shall comply with any other reasonable special provisions prescribed by the Fire Marshal intended to prevent fires and explosions.

k. Magazines; Security. The operator shall comply with the following security procedures:

(1) Magazines shall be kept locked at all times except during inspection, loading and unloading of fireworks;

(2) Magazines shall be in the custody of competent persons at all times, each of which must be at least twenty-one (21) years of age. Each such custodian shall be responsible for compliance with all safety and security requirements. No person may entrust the custody of the magazines to a person whom he knows or has reason to believe is legally incompetent;

(3) The magazine shall be located in restricted areas, which are not readily open to the general public visiting the park;

(4) The doors of magazines shall display conspicuous warning signs as designed in conformity with Fire Marshal specifications. Such warning signs shall also be posted at least twenty-five (25) feet, but not more than two hundred (200) feet, from the magazine along its vehicular and pedestrian approaches;

(5) No non-essential or unauthorized personnel shall enter the magazine. Magazines shall be situated such that access by the general public or other non-essential or unauthorized personnel is precluded by natural or man-made barriers, such as walls, pits, fencing, or bodies of water;

(6) The operator shall immediately notify the Fire Marshal and the Police Department of any suspected theft of fireworks; and

(7) The operator shall comply with any other reasonable special provisions prescribed by the Fire Marshal intended to ensure adequate security for stored fireworks.

1. The operator shall allow entry for inspection by the Fire Marshal or his designees at reasonable times to ensure compliance with this Section.

Sections 11-60--11-75. Reserved.